

UNGARY OF TO-DAY

BY MEMBERS OF
THE HUNGARIAN GOVERNMENT, ETC.

EDITED BY PERCY ALDEN, M.P.

WITH NUMEROUS ILLUSTRATIONS

EVELEIGH NASH

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PREFACE

So much ignorance still prevails concerning the great kingdom of Hungary that no apology is needed for some account of its constitution ; its relation to other states ; its commerce, internal administration and philanthropic societies, written for the most part by members of the Hungarian Government or by those who have been in large measure responsible for Government Departments.

Even to-day nothing is more noticeable than the confusion of thought which exists in respect of the relationship which Hungary bears to Austria. It is generally taken for granted that Hungary forms a part of the Austrian empire, and many publicists frequently refer to Austria as including Hungary, forgetting or ignoring the fact that in law Hungary is an independent kingdom. Francis Joseph, Emperor of Austria, is King of Hungary by virtue of his election as *apostolicus rex*, and except for certain clearly defined and specific purposes, Hungary is an absolutely autonomous and independent state. The fact that for these specific purposes, such, for example, as war and foreign affairs, mutual arrangements have been made by virtue of which Austria-Hungary acts as one kingdom, does not in any degree lessen that independence.

The hostile criticism which has fallen to the lot of Hungary is not always deserved or well founded. We are far too apt, in judging of the progress of Hungary, to use as our standard the Western nations which have not been involved, as in the case of that country, in external wars which have rendered the progress of social reform and industrial development almost impossible. It is only since 1867, the date of the "Ausgleich" or Compromise, that it has been possible for Hungary to devote attention to her own internal affairs, and to develop her own resources. We have to remember that the roots of modern Hungary, as we now understand it, are fixed in the 'forties of the last century, and that since that time a very large number of measures have been passed to forward the economic and social progress of the country, and for improving the conditions of the working classes. Those of us who are inclined to condemn the Hungarian Government as being reactionary, or lacking in sympathy with modern forms of industrial betterment, must remember how short a time she has had in which to achieve these reforms as compared with the older civilizations, who have even now to deplore vast gaps in the general plan of reform marked out by the common consent of civilized nations.

The great national revival led by Count Széchenyi, Julius Andrassy, Francis Deák and Louis Kossuth, which resulted in the Law of 1848, led to the abolition of the mediæval system of land tenure, the abolition of many privileges of the nobility, and the formation of a modern responsible and parliamentary constitution. Since that time a

large number of Acts have been passed which have had for their avowed object the improvement of the conditions of the working classes, especially of the agricultural labourers, and the development of national industries. That much remains yet to be done and that there is urgent need of fresh legislation is admitted, but the contention that Hungary is still so far behind Western nations as to be sunk in barbarism, as one is almost tempted to believe after reading certain criticisms, will not bear the slightest investigation on the part of the unprejudiced student of politics.

In some respects Hungary leads the way and sets an example to Western nations. This is notably the case in her treatment of child life. Nothing is more striking than the methods employed in dealing with the waifs and strays and neglected children of both town and village, and the student of social questions will admire the carefully planned and scientific machinery for preventing the waste of child life which is all too common both in England and on the Continent.

This series of articles does not pretend to deal with what may be called the lighter side of Hungarian life, but those who are seeking for health and recreation would do well to visit a country which abounds in health resorts and picturesque scenery. Many of these health resorts are upon the domains, and under the control, of the State, and those situated in the region of the High Tatra in the Carpathians deserve special mention. We find in the High Tatra, which includes Tatra Füred, Tatra-Lomnicz, Lake Csorba, and the environs of Fenyőháza, the beginnings of a great

national park developed on the right lines by the forethought of the Agriculture Department. The famous Hercules Bath in Cserna Valley is one of the finest natural hot saline-sulphur springs in the world, while Vizakna, in Transylvania, is also noted for its salt and mud baths—the latter with wonderful iodine properties. When the cure is completed the visitor may well spend some time in exploring the natural beauties of Hungary, but no one should leave the country without paying a visit to the famous Iron Gates of the Danube, where the action of the Government has rendered navigable perhaps the most picturesque portion of that great river.

English visitors will find the Hungarians to be an extremely hospitable race. Their leading statesmen are full of admiration for this country and desirous of showing their friendly feeling in every way. If this book, technical as it may seem, serves the purpose of attracting more attention to a country about which little is known, but which, historically and geographically, is full of interest to the student and traveller, it will not have been written in vain. I have only to add that I have been materially helped in the reading and revision of the proofs by Mr. Eugene Golonya, Editor of "Hungary," Mr. A. L. DeLisle, and Mr. Edward E. Hayward, M.A., of the British Institute of Social Service.

PERCY ALDEN

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HUNGARY OF TO-DAY

CHAPTER I

HUNGARY : ITS PEOPLES, INDUSTRIES AND FINANCES

By JULIUS DE VARGHA, D.Juris., Director of the Central
Statistical Office of Hungary, etc.

I. THE COUNTRY

THE Hungarian kingdom takes rank as seventh among the states of Europe, in point both of territory and population. With an area of 324·851 square kilometres it exceeds in size such countries as Great Britain, Austria, and Italy : and the value of this extensive territory is enhanced by the mildness of the climate, the wealth of the soil, and the abundance of natural treasures.

Hungary lies in the centre of Europe, on the borders of East and West, a bastion of Western Europe projecting eastwards : the country indeed, for ten centuries of European history, played the part of a breakwater, against which the waves of Oriental barbarism dashed and were broken. With its sharply defined natural border, it has been destined by nature herself to be a uniform state.

From the point where, on the west, the Danube enters Hungarian territory, to the point where, in the south-east, it leaves the country, the long chain of the Carpathians forms a huge semi-circle round Hungary : while the southern frontier is formed by the Lower Danube and the Save, in a channel corresponding to the northern line of the Carpathians. Thereby the whole country assumes the form of an ellipse, the regular shape of which is only broken by the neck of land projecting on the Adriatic Sea.

Besides the external formation, the orological and hydrographical conditions impart a peculiarly uniform character to the territory of Hungary. The long chain of mountains forming the northern and eastern frontiers throws branches out as far as the great plain stretching over the centre of the country. The rivers, too, all display a centripetal tendency, hastening to unite with the mighty stream of the Danube, and then continue their course towards the Black Sea. This distinctly concentric character makes the various parts of the country interdependent, and welds them into an organic whole : while their products, owing to their manifold nature, as it were complement each other.

In geological respects, practically every stratum, from the earliest geographical formations to the latest deposits of mud (clay) made by the rivers, is represented : though the latest formations, the diluvial and alluvial deposits, are the most prepon-



Photo

Divald

WINTER SPORT IN THE HIGH TÁTRA.—I.

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derant. These latter cover the surface of the small and great Hungarian Alföld (Lowlands), the greater part of the right bank of the Danube and of the district between the Drave and the Save, and provide that deep soil, rich in vegetable mould, in which is grown the Hungarian grain of unexcelled quality.

The chain of the Carpathians, one of the mightiest mountain ranges in Europe, offers a panorama strikingly rich in natural beauties. Though it cannot rival the wild masses of the Alps, and scarcely rises at all to the level of the regions of eternal snows, some parts of its long line rise to a very significant height, and many of its peaks exceed 2000 metres. Its highest peak on the north is 2663, that on the south-east 2534 metres high.

The best-known part of the Carpathians, which has recently been visited by large numbers of foreigners, is the High Tatra, which rises up in enormous proportions without any foothills at all. Its rugged, fissured granite rocks, covered with snow, that rise above a dark-green zone of thick pine forests, rank among the most enchanting natural beauties. At a great height, deep, crystal-clear lakes, the so called "tarns," present glittering mirrors playing in light and shade. At every step bubbling streams, and in places mighty waterfalls roar and blend with the bleak stillness of the dark pine forests. On the southern slopes of the Tatra a whole series of watering-places has been created,

which attract pleasure-seekers longing to enjoy the delights of nature not only in summer, but, of recent years, in winter too. The gigantic rocky wall of the High Tatra protects the southern slopes from the north winds. After the winter snow has fallen, we get a long period of clear weather. A cloudless blue sky forms an enchanting canopy over the white snow-world, while the sun's rays are so hot that visitors are able to enjoy all the beauties of winter in a summer warmth. The whole neighbourhood is alive ; all kinds of winter sports are engaged in ; horse sleighs and bobsleighs, skis and snow-shoes offer a variety of amusement that attract even guests from all Europe.

The Eastern Carpathians, too, abound in wondrously beautiful spots that surprise even the most experienced tourists ; while at the most southern extremity of that range the Danube presents a series of natural beauties with which not even the valley of the Rhine can vie. The lower reaches of the Danube, from Básiás to Orsova, are quite unrivalled in their majestic wildness. The mighty river, shut in by rocky passes, carves its way by sheer force, forming eddying whirlpools and rushing torrents in its rapid course. It was to Hungary and Hungarian engineers that Europe entrusted the glorious task of overcoming the dangers to navigation of this stretch of water and opening it to the traffic of the world.

All the mountains of Hungary do not belong



Photo

SIÓ, ON LAKE BALATON.

Enagy

[To face p. 17.

to the system of the Carpathians. On the west three branches of the Alps enter Hungarian territory. One of these stretches along the shores of the Adriatic; a second extends east between the Save and the Drave; while the third flanks the long frontier line of the country between the Drave and the Danube, and after being intersected by the valleys of rivers and being reduced in many places to low-lying hills, ends at the Danube, in the neighbourhood of Budapest. This branch of the Alps stretching towards the east, near Visegrád faces the spurs of the Carpathians, which also extend right down to the Danube where the mighty stream is enclosed by wooded mountains, constituting a magnificent panorama.

That part of the country which extends along the right bank of the Danube, the Pannonia of the Romans, is generally speaking composed of gentle slopes and more extensive flatlands. Here are situated the two largest lakes in Hungary, the Balaton and the Fertő. The former occupies an area of 690 square kilometres and stretches 76 kilometres in length, from N.E. to S.W. Its banks are flanked by watering-places: and from the hills surrounding it rich vineyards smile down upon us. On the very edge of Lake Balaton rises the huge basalt cone of Mount Badacsony, which produces excellent wine: while in the background, other cones, which are also the outcome of volcanic forces, may be seen, each of them crowned with

the ruins of a castle. The right bank of the Danube, the home of a culture that has lasted, practically without a break, for over 1500 years, is still the most cultivated district in Hungary. Its soil cannot indeed vie with the deep vegetable mould of the Lowlands: but the long years of cultivation have not exhausted its fertility; and it still yields one of the largest averages of natural produce, a fact which testifies to a rational system of cultivation.

The great Hungarian Lowlands are an enormous stretch of flat country with a surface of from 70 to 130 metres above the level of the sea. It occupies the central part of the country; to the south it stretches right down to the frontier; and on the N.E. it penetrates a long way into the Carpathians. There are slight elevations scattered over the infinite expanse of flatland, above which, in the close heat of the summer, the fairy-like phenomenon of the mirage may be seen hovering. Ever since the expulsion of the Turks, the depopulated Lowlands were mostly covered with pasturelands and marshes. Its few inhabitants tended their flocks and cattle on the rich meadows, while the interminable rush-brakes of the flooded districts swarmed with myriads of water-fowl. To-day the picture presented by the Lowlands is an entirely different one. Owing to the regulation of the rivers, the inundations have disappeared; ploughed lands stretch over the spots once occupied by



Photo

WINTER SPORT IN THE HIGH TÄTRA.—II.

Divaid

[To face p. 18.

pastures ; in the sandy districts we meet flourishing vineyards and extensive orchards, and the confines of the more populous villages and towns are studded with white farm-houses.

The wide valleys and plateaus that skirt the Carpathians and the mountain ranges that in some places extend right into the heart of the country, into the large plains, are also well adapted for cultivation, in many parts for viticulture (the Hegyalja range that produces the world-famed Tokay wine is itself a spur of the Carpathians); but their natural wealth in wood, metals, and minerals predestines them as the home of industry, while the enormous water power available may also be employed for industrial purposes. The only things required are capital and a spirit of enterprise.

Though the whole territory of Hungary falls within 44° and 49° (latitude) North, *i.e.* within the temperate zone, yet there are great divergencies between the various parts of the country in respect of mean, minimum, and maximum temperature. The mean annual temperature varies between 5.4° and 14.2° C. The highest mean temperature is in a little inlet of the shores of the Adriatic, in the neighbourhood of Fiume : while the lowest is to be found on the skirts of the Carpathians, particularly in the N.E. and N. The annual mean temperature is generally a high one in the Lowlands, in the part of the Trans-Danubian

district between Lake Balaton and the confluence of the Danube and Drave, and in the greater part of the territory lying between the Drave, the Danube, and the Save.

The monthly temperatures show considerable divergencies from the mean annual temperature. In January the temperature is highest in the western half of the country and lowers gradually towards the east. In July, on the other hand, it is highest on the sea-coast, and in the district between the southern frontier and the centre of the country on the right and left banks of the Tisza: though the greatest degree of warmth is to be found in the latter part. In accordance with its situation on the Continent the climate of Hungary is characterised by extremes—great heat in summer and extreme cold in winter. But enormous fluctuations have been observed in the same season, and actually in one and the same month.

In point of rainfall there are great divergencies between the several parts of the country. At the foot of the N.E. Carpathians there is an average annual rainfall of 1500 millimetres (59·055 inches); in the Karst (mountain) district near the Adriatic the average annual rainfall is more than 2000 millimetres (about 79 inches); whereas in the Small Hungarian Lowlands it is only 500 millimetres, and in the Great Hungarian Lowlands about 600 millimetres. But even this compara-

tively slight rainfall is not distributed uniformly : and it often happens that a long summer drought spoils the growth of late spring plants and vegetables. Yet the restorative power of Hungarian soil is wonderful : and crops that seemed completely ruined, have very often been entirely restored by one or two good showers.

Notwithstanding this fact, the dearth of rain in the Hungarian Lowlands is a great obstacle in the way of the complete success of agriculture, which depends in no small measure upon the existence of a large number of animals, a *conditio sine qua non* for which is the provision of fodder that requires an extensive rainfall. Until the regulation of the Tisza and its tributaries the Hungarian Lowlands were blessed with a far greater rainfall. The extensive inundations did much to produce rainfall and dew. Something should be done to remedy the defect by watering : the difficulty is that all through summer there is not enough water in the fallen rivers to supply the ditches and troughs that would have to be used to feed the fields. Gigantic dams would have to be built among the hills to close the valleys and collect the enormous volume of water that rushes down in spring, when the snow melts, often causing the inhabitants of the villages that skirt the river banks to struggle desperately to preserve their goods from destruction when the dykes have been washed away.

A splendid field for the use of capital and

technical genius is offered by the work of collecting all the waters that flow away, are wasted, and in many cases cause the gravest damage, and of supplying the Hungarian Lowlands with ditches and troughs for the object of watering the parched soil. A more profitable enterprise could scarcely be conceived : for it would transform the Hungarian Lowlands into the wealthiest land in Europe.

2. THE NATIONALIST QUESTION

The Hungarian kingdom is not inhabited by people of one uniform tongue. According to the census of 1900, the number of Magyars, who constitute the nucleus of the State, was 8,742,301, *i. e.* 45·4% of the whole population, a number which, by the inclusion of those of other tongues who know Hungarian (Magyar), is raised to 10,175,514, *i. e.* 52·8% of the entire population. But as Act XXX of 1868 recognised Croatian as the official language of Croatia and Slavonia—a language which is the mother tongue of 61·6% of the inhabitants of those crown-lands—from the point of view of the Magyars it is only the linguistic conditions of Hungary proper that are of importance : consequently we shall confine ourselves to the statistics of the mother country.

According to the census of 1900, of the 16,838,255 people inhabiting Hungary proper (*i. e.* without reckoning Croatia and Slavonia),



Photo

Erdélyi

WINTER SPORT IN THE HIGH TÁTRA.—III.

[To face p. 22.]

51·4%, *i.e.* 8,651,520 were Magyars by tongue ; while of the non-Magyars 1,384,729 spoke Hungarian, so that the number of persons who knew Hungarian amounted to 10,036,249, *i.e.* nearly 60% of the whole population.

If we consider the question of mother tongue merely, the Magyars form an absolute majority over all other races combined, a fact which, in addition to their superiority in point of wealth, culture, and social qualifications, justifies their supremacy over the nationalities, proving as it does that they are faced, not by one compact nationality, but by a number of smaller peoples of various extraction. The number of those whose mother tongue is Roumanian (Wallachian) represent 16·6, that of the Germans 11·3, of the Slovaks 11·3, of the Servians 2·6, of the Ruthenians 2·5, of the Croatians 1·1, and that of other races combined 2 per cent. of the whole population. Even if we take the aggregate of all the inhabitants speaking Slav languages, we find they comprise no more than 19·6%, whereas in Austria the Slavs form a strong absolute majority of 60·4%, over against the German element, which represents only 35·8% of the whole population of that country.

The geographical situation of the Magyar element too is a favourable one. For the most part they live in the centre of Hungary, and compose as it were the kernel of the population ; and by the aid of the expansive force of this central

situation, they are endeavouring to extend the ethnographical confines in ever-widening circles. In this endeavour they are effectively assisted by two other factors: the greater fertility and economic development of the soil on which they dwell, and the greater density of population connected in part therewith. It is to these facts that we must attribute the disproportionate increase in population of the Magyars as opposed to the nationalities. During the twenty years from 1880 to 1900, while the number of inhabitants whose native tongue was Magyar increased by 34·1%, that of the non-Magyars advanced only 10·7%. It cannot, however, be doubted that this favourable result is due not only to the difference in the proportion of natural increase, but partly to assimilation. It is particularly in the towns that the power of Magyar culture is at work as a permanent force acting voluntarily, without the least sign of constraint, in the interests of the creation of a uniform speech.

The nations of Western Europe have had the nationalistic question of Hungary presented to them for the most part in an entirely false light. The belief that the Magyar nation stands quite alone as a stranger among the nations of Europe is itself a mere fallacy. They are no strangers even in point of blood. During ten centuries the Magyars, a branch of the Ural-Altaic family, have absorbed numerous Indo-Germanic elements; and the Hungarian (Magyar) nation of to-day is no

longer an Asiatic people, but a European nation composed of the intermingling of various races under the influence of the natural conditions prevailing in the country. The same process has taken place in Hungary as took place in the case of the nations of Western Europe which are similarly composed of the intermingling of various peoples and the heaping upon one another of various racial strata. It is to the credit of the Magyar race that this enormous transformation has taken place without their being deprived of their linguistic and national individuality. Mighty conquering peoples—the Goths, Franks, Lombards, Normans, and, of the Hunno-Scythian peoples, the Bulgarians—became completely absorbed in the conquered races: only the Hungarians have succeeded in maintaining their racial individuality, despite the intermixture of blood. Their language has adopted a large number of foreign words, but has transformed them according to its own rules of phonology and made them its own: while it has preserved in its original purity all its peculiarities of construction and idiom.

The Hungarian nation, which on obtaining possession of its new home was thrown on a huge ocean of foreign races, owes its preservation as a nation entirely to the fact that it was never exclusive. It was never in favour of racial exclusiveness, and was always only too glad to receive into its ranks the best sons of other races. This fact

resulted in a certain racial excellence. The selected representatives of foreign peoples brought with them the best characteristics of their own race, and helped to form a strong, hardy, almost indomitable nation, which was able to endure terrible catastrophes that would have wiped other peoples entirely off the face of the globe.

Even where absorption in point of speech did not take place, the various races of Hungary have been endowed with many common characteristics, partly owing to the intermingling of races, partly to the assimilating power of the Hungarian soil: in fact a veritable uniform Magyar type has been produced. This is particularly conspicuous in the Great Lowlands, where the multilingual peoples (German, Slovak, Servian, etc.) show all the racial characteristics of the Magyar, in dress, external appearance, habits, morality, in fact in their whole ethnical being. Under such circumstances there cannot be any question of differences between Magyar and non-Magyar, and it is much to be regretted that attempts are made to undermine this peaceful harmony.

History is distinctly against the disintegrating tendencies of the nationalities. In this respect the situation in Hungary is quite different to that in Austria, the nationalistic conditions of which country are very frequently employed as an aid to the appreciation of the state of affairs in Hungary. In Austria, the Bohemians and Poles, in their

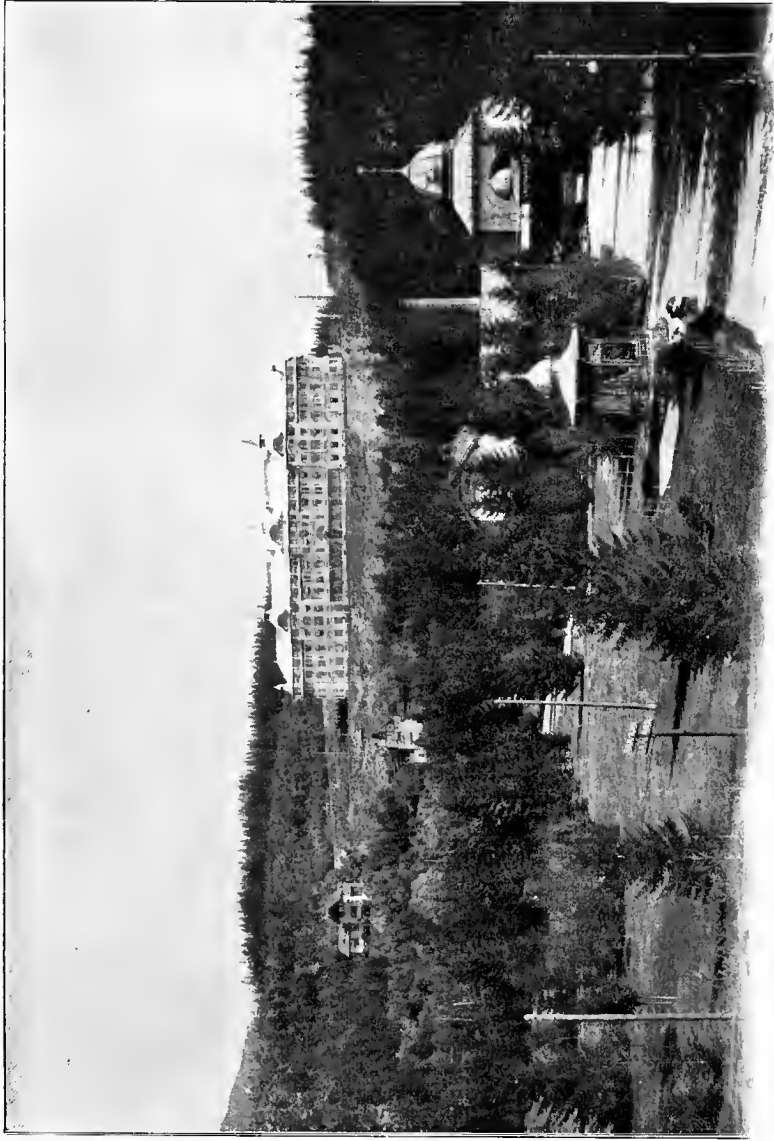
struggle with the Germans, can refer to the greatness of their former national kingdoms ; whereas the historical traditions of the peoples of Hungary derive from one only source, viz. the past history of the Hungarian national state. No single non-Magyar race living in Hungary can base any claim to a separate national existence on the right of first settlement, as they all settled in the country, as welcome colonists, during the rule of the Hungarian kings. Unbiased historians have proved that even the theory that the Roumanians (Wallachians) are descendants of the Dacian legionaries of Trajan, a belief that has for over a century been treasured by them with religious fervour, is nothing more nor less than an historical fable. The Roumanians are a mixed race, taking their origin from the Balkan Peninsula, who did not make their appearance in Hungary until the thirteenth century, when they were to be found as shepherds tending flocks in the hills. They began to spread in the sixteenth, and particularly in the eighteenth century, receiving additions in the form of settlers from Moldavia and the Alpine Lowlands, from which districts the Roumanian feudatories, groaning under the tyrannical yoke of the Boyars, were attracted by the kinder and more humane treatment of the Hungarian landed proprietors.

As for historical rights, they can be claimed at most by the Saxons of Transylvania, who for more than seven centuries enjoyed certain special

privileges. But, though they have always strictly guarded, and still guard, their racial consciousness, they are adherents of the policy of a uniform Hungarian State : and even by the preservation of their native tongue (German) they are rendering a service to Hungarian interests, acting as they do as obstacles in the way of pan-Roumanian aspirations.

The fact that the uniformity of speech to be found in most of the states of Western Europe could not be secured in Hungary, is due chiefly to the stormy past of the country, and partly to the excessive toleration, one might almost say the absolute indifference, of the Magyar race. The devastation of the Mongols towards the middle of the thirteenth century enormously decreased the population of the country, and rendered large settlements imperative ; while at the opening of the fourteenth century began the gigantic struggle with the Ottoman power and its endeavour to conquer the world, a struggle that lasted for three long centuries and involved terrible bloodshed, particularly during the century and a half when a considerable portion of Hungary was under Turkish rule. It was the richest and most Magyar part of the country which was entirely depopulated and reduced to a barren waste. The settlements were too large to admit of the new settlers being absorbed : consequently a uniformity of speech could not be secured.

Yet there was no difference in point of feeling.



Photo

PALACE HOTEL, TÁTRA LOMNÍČ (HIGH TÁTRA).

Divadl

[*To face p. 20.*

In the lower strata their want of education prevented the nationalities from entertaining any nationalistic consciousness or feeling: while the majority of the Ruthenians and Slovaks were inspired (and are still inspired) by the heart-stirring memories of the war of independence of Rákóczi, and still encircle the ideal figure of the champion of Hungarian liberty with a halo of glory. The inhabitants of the towns were for the most part German by speech: but they vied with their Magyar compatriots in devotion to their country. This fact explains the circumstance that during the past few decades, when the schools put the acquirement of Hungarian within the reach of everybody, the towns of Hungary became Hungarian in point of language too at one blow. The Magyarisation of the country has made rapid strides even in towns far distant from the district where Hungarian is the universal language, which have naturally been deprived, in consequence, of the beneficial effects of every-day intercourse with Magyars.

Finally, as for the third great division of the population under the ancient constitution, viz. the nobility, it was in fact the champion of the Hungarian national idea. Any one, of whatever nationality, who obtained rank as a Hungarian noble, became a Magyar. The same is true of the men who filled public offices. And when the abolition of the privileges of the nobility overthrew class distinctions, although oppressive absolutism

did all in its power to Germanise the country, all those who had enjoyed a good education and had thereby become members of the educated classes, of whatever nationality and whatever class of society, became good Magyars, both in tongue and feeling. Even the children of strangers recently settled in the country have become Hungarian in the first generation, not being in the least different to the children of out-and-out Magyars.

This result was not obtained by arbitrary measures: nor are such applied to-day. It is the natural effect of historical, social, and cultural forces working unseen. Hungarian science, literature, economics, and politics possess many a distinguished worker, who by origin is not a Magyar, though in thought and feeling as true a Magyar as any direct descendant of Árpád's followers; indeed, there are men of foreign descent in whom the best characteristics of the Magyar race may be seen, from whose souls the light of the Magyar genius flashes forth in purest brilliance. To call such men renegades—as the nationalist agitators do—is simply ridiculous. Were not Napoleon and Gambetta, despite their Italian descent, true Frenchmen?

Any one who judges affairs from the high point of view of the universal interests of mankind, must necessarily sympathise with any movement to create a peacefully united nation, with uniform speech and culture, out of the various races inhabiting a country whose historical past and whose vocation

in the future of the world have destined it to be a uniform state. Could Great Britain have played the glorious part assigned her by Providence, had the place of the uniform English language and culture prevailing in the United Kingdom been taken by a medley of Celtic, Anglo-Saxon, Danish, and French languages and cultures ? Macaulay himself declared that the history of the English nation did not begin till the time of the Magna Charta, *i.e.* till the period when the various races became absorbed into one.

By becoming absorbed in one uniform Hungarian nation, the various races of Hungary will be rendering an inestimable service to the interests of mankind in general. The culture of small fragments of peoples living in the same country must be poor and feeble ; it cannot be a serious factor in the progress of mankind ; and it offers no field, no opportunity for the development of true ability. But by becoming welded into one uniform nation, even small fragments of races may be contributors to great prosperity and a high level of culture.

In Hungary it is the Magyars who, numerically, and in point of wealth and culture, are destined to lead the way ; in ethnical development too they form the centre of gravity. In respect of culture, the Magyar race is superior to the nationalities not only in point of elementary education, but in higher culture too. By the side of the wealthy and brilliant literature of the Magyars, those of the

nationalities (with the one exception of the German) are completely overshadowed. It is a mere waste of energy to work in the service of the latter ; in fact a celebrated Hungarian writer of German origin has proved, not merely by his example, but in theory too, by an essay containing unanswerable arguments, that even those inhabitants of Hungary whose native tongue is German, whose language connects them with a mighty world culture, cannot display their abilities in their entirety unless they unite with the Magyar nation in speech and feeling, and seek inspiration and impulse in the struggles, ambitions, and hopes of the past and present of the Hungarian fatherland. If they remain attached to pan-German ideals, they will be like stagnant water beside the shallow banks of a mighty river, sluggish and inactive, while the waves of the rushing stream roll majestically on their way towards the ocean.

The assimilation, particularly in the better educated classes, is in fact so extensive that it would be impossible to settle the formation of Hungarian society according to descent. One fact is, however, beyond dispute : all the races living in Hungary are more or less represented therein, some of them to a considerable extent. Consequently there is absolutely no basis for the charge that the non-Magyar inhabitants are scarcely represented in Parliament and the public offices. As if all those eminent men who, with all their various racial

origins, are included in the ranks of Hungarian intelligence, were not worthy representatives of their various races, to which they are attached, both by ties of blood and by tradition.

Apart from a few well-meaning enthusiasts, the nationalist disturbances are the work of unprincipled agitators who treat the affair from a business point of view. These latter would arrogate to themselves the position of leaders and exclusive representatives of their respective nationalities, believing thus to be able to better assert themselves. Yet there is no denying the fact that the nationalist endeavours find effectual support in the Roumanian churches, the strongly nationalist character of which (remarkable irony of fate) was established by the out-and-out Magyar princes of Transylvania.

Not only in the past, even to-day the Magyars display an excess of toleration. Hungarian chauvinism, so loudly proclaimed by Magyarphobes, is to be found at the worst in individual newspaper articles, but not in real life. Hungarian masters learn the languages of their non-Magyar servants, and speak to them in their native tongues; a whole company of Magyars, if only one stranger be present, are only too ready to adopt his language as the medium of conversation; in business relations, Hungarian buyers and sellers make no attempt to force foreign customers to speak Hungarian; in other words, the Magyars make no efforts to employ that perfectly admissible social

constraint which is one of the surest means of spreading a language.

Still less does the Hungarian nation have recourse to force in its legal measures. When in 1848, the Hungarian nobility, inspired by the most magnanimous idealism, without any pressure from without, voluntarily renounced its privileges and received the masses within the protecting bastions of the constitution, no difference was made between religion and religion, between race and race. German, Slovak, Roumanian and other feudatories became just as free proprietors of the land they cultivated as their Magyar brethren, and were admitted just as freely to political rights.

During the new constitutional period that commenced with 1867, the Hungarian Parliament has always faithfully adhered to the noble traditions of the legislature of 1848. Beyond the declaration of the Magyar language as the official tongue of the country—a provision to the detriment of which many concessions have been made to non-Magyar citizens, both in the law-courts and in the field of administration—there is no single law in Hungary which secures privileges to Magyars as opposed to their non-Magyar compatriots.

As early as 1879, the Hungarian Parliament passed a law dealing with the obligatory teaching of the Magyar language, the instruction of the children in their mother tongue being left intact ; this measure was, however, taken rather in the

interests of the non-Magyars, that they might not be excluded from asserting themselves in any particular sphere from an ignorance of the official language. No one can with any justice deny that there is undoubtedly need of a uniform official language, in fact of a standard speech, to enable the inhabitants of various tongues to hold social intercourse with one another. And from what has been already said, no one can doubt that this language must be Magyar.

Every one may make free use of his native tongue, not only in his family circles, but in church and in school. Can any one talk of oppression, when, of the 10,957 parishes in Hungary, in 3302 Roumanian, in 1051 Slovak, in 1005 German, in 389 Ruthenian, in 259 Servian, and in 66 Croatian, is exclusively the language used by the preachers? Or when of the 16,561 public elementary schools (during the school-year 1905-1906), in 3154 some non-Magyar tongue was the language of instruction, in 1665 other languages besides the Magyar were used as the language of instruction, while in 1954 schools where Magyar was the language of instruction, other languages too were employed as auxiliaries in the work of education? In fact the principle of toleration is carried so far that the parishes may choose their own official language at pleasure, although such a course is extremely detrimental to the uniformity of language in the field of administration.

Under such circumstances it is ridiculous to talk of oppression and racial tyranny in Hungary. The Magyar nation with its devotion to liberty, while jealous of its own freedom, respects the liberties of others. And having resolved to maintain the national character of its state, secured by the heroic struggles of a thousand years and sanctified by the noble lustre of historic rights, it may justly count on the sympathy of the great British nation, which has always been foremost in its love of liberty and its respect for historic rights.

3. POPULATION AND HYGIENE

According to the census of 1900, the population of the Hungarian kingdom numbered 19,254,559 souls : to-day it exceeds twenty millions. In 1900 there was an average of 59·3 souls to every square kilometre. This average must be called a low one in comparison to the density of population of Western countries ; but it is far in advance of that of Eastern countries.

The agglomeration of population is very different in the various parts of the country. In the western, highland, and eastern counties there are masses of tiny hamlets : but in the Lowlands we find populous villages and towns at great distances from one another. There are simple country villages with from 20,000 to 25,000 inhabitants : the largest village, Békéscsaba, has 37,547 inhabitants. The

populous towns possess a large area ; of those in the Lowlands, Szeged has an area of 816, Kecskemét of 873, Debreczen of 957, and Szabadka of 974 square kilometres. This remarkable density of population is due in no small measure to the havoc effected by the Turks. In order to be able to defend themselves better against marauding bands, the people deserted the small villages and collected in large local centres.

As a consequence of this peculiar distribution of population originating from quite extraordinary historical causes, these populous towns are without an industrial character and the features peculiar to towns. There are many large towns in the Lowlands which are still of an agricultural character, although the increase of cultural institutions, the development in building that may be remarked, and the progress of traffic and commerce is beginning even here to impart a town-like appearance. This appearance is accompanied by a rapid increase of the population of the Hungarian towns. While the population of the countryside increased only 19·2% between 1869 and 1900, during the same period that of free boroughs increased 32·5%, and that of towns endowed with municipal rights 77·3%. The population of the capital of the kingdom, Budapest, actually increased 164·7% during the said 31 years. In 1900 its population numbered 732,322 ; and it thus took a prominent place among the capitals of Europe. Yet the

population of the villages situated in the direct vicinity of Budapest, which are practically absorbed in the capital but in point of administration have not yet been united to that city, is not included in the above figures ; taken together, the population of these villages exceeds 100,000.

Budapest is situated just at the focus of the ellipse formed by the territory of Hungary, on both sides of the mighty stream of the Danube. It is also the junction for all the trunk railways. No wonder that, with this favourable situation, its power of absorption is enormous, and that its development is somewhat detrimental to that of the provincial towns. The other towns of Hungary are far behind in point of population. Next to it comes Szeged, on the banks of the Tisza, with a population of 102,991 only. Besides these, there are only nine towns in Hungary whose population exceeds 50,000 ; and 126 towns and villages which possess a population of over 10,000.

As for occupation, the great majority of the population of the country are engaged in agriculture. In 1900, of those engaged in earning their living, 68·6 were employed in cultivating the soil, 13·4 in mining and industry, and only 4·1 in commerce and traffic. Besides these 4·4 were domestic servants, 3·3 labourers, 2·4 were engaged in professional pursuits ; 1·6 were capitalists and pensioners, 1·5 were serving in the army, and 0·7 were engaged in other fields. These figures



Photo

Erdélyi

FENYŐHAZA,
(State Health Resort.)

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relate to the whole of Hungary. There is a great difference between the mother country and the countries annexed, in point of the occupations of the inhabitants. For instance, while in Hungary proper 65·9 of the population were engaged in the cultivation of the soil, and 19 in industrial pursuits and traffic, in Croatia and Slavonia the figures were 84·3 and 9·0 respectively.

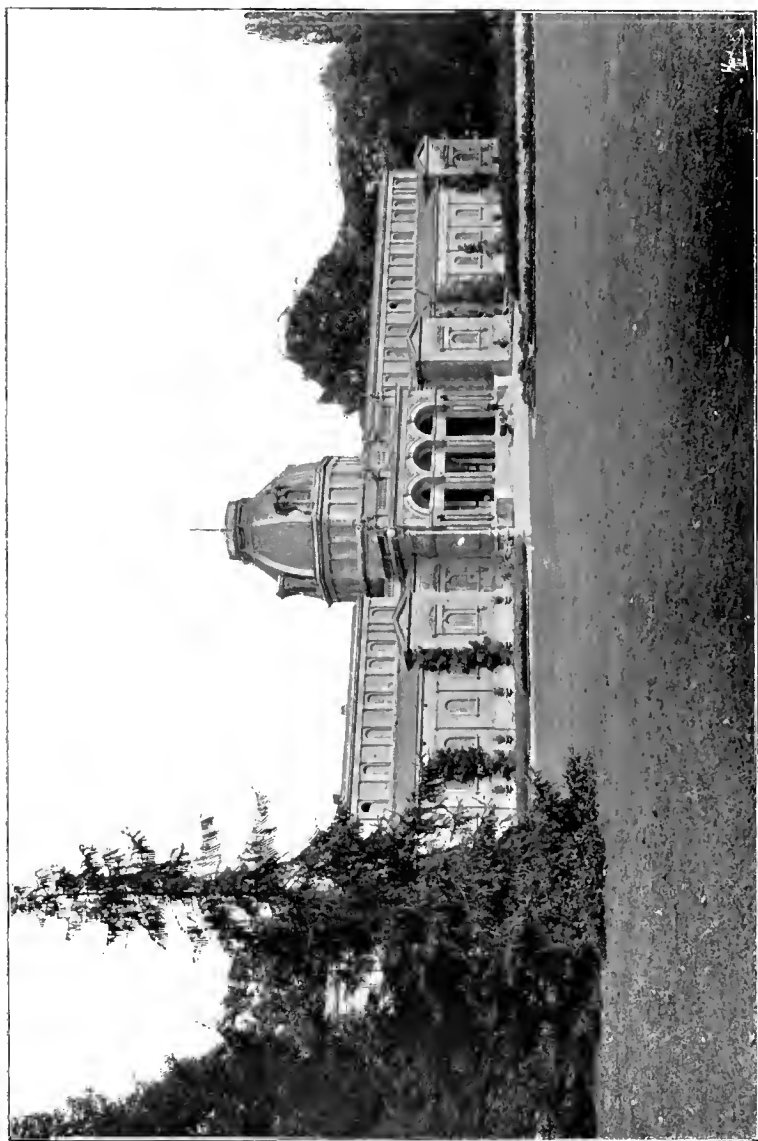
Of the 19·25 million inhabitants of the Hungarian kingdom 8·83 millions were earning their living, and 10·42 millions were being supported by others. Naturally enough, the proportion of women in these two groups was quite different, the figures being 30·2 and 67·2 respectively ; the great majority of women are not engaged in any work, as breadwinners, but are employed at home keeping house. The proportions of men and women in the aggregate population is practically equal. In 1900, for every 1000 men, there were 1009 women, while ten years before the proportion was 1000 to 1015. There are distinct divergencies in these proportions in the various districts. While in the west and north the women are considerably more than the men, in the south and east the men are in the majority.

In the distribution of the population according to age, a characteristic feature is the preponderance of young people, though during the last ten years there has been a certain retrogression in this

respect. The proportion of young people under 15 is 35·6, that of people between 15 and 60 (productive age), 56·8, that of people over 60, 7·6. As the proportion of inhabitants over 60 in 1890 was only 6·9, this change is a welcome sign of the prolongation of vital capacity.

If we take into consideration the large proportion of young people, the number of inhabitants in a married state may be pronounced distinctly favourable ; of the aggregate population, the proportion of bachelors and spinsters was 53·6, that of married persons 40·2, that of widows and widowers 6·1, that of persons legally divorced 0·1. The considerable proportion of widowers and widows is the natural consequence of early marriages, while the large number of married persons is explained by the fact that the overwhelming majority of the inhabitants are engaged in agricultural pursuits. Among the inhabitants of the towns who live in greater style and whose subsistence is a far more difficult question, the proportion of married persons was a considerably lower one. At Budapest, for instance, it was only 33·2.

The difficulties of subsistence and the higher scale of living make their influence felt in the decreasing proportion of marriages too. Between 1881 and 1885 there were 10·3 marriages for every thousand souls in Hungary : whereas between 1901 and 1905 the average was only 8·6. The marriages are partly contracted by people of



Photo

THE BATHS, MARGARET ISLAND, BUDAPEST.

Erődy

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minor age, a fact with which the large number of births is in some respect connected. In Hungary formerly the proportion of births was a remarkably high one : of recent years there has been a certain definite decadence in this respect. Whereas between 1891 and 1895 the average of infants born alive was 41·7 per thousand, during 1906 it was only 36·0. With the progress of civilisation and the increased demands attendant thereon, there is generally a decrease in the number of births ; but we must not forget the close connection that exists between the birth-rate and mortality. A large proportion of births is in part the cause, and in part the concomitant of a large bill of mortality ; of the numerous infants many perish, while, on the other hand, a large bill of mortality acts as an incentive to an impulse for the preservation of the race. This mutual influence of births and mortality is to be found in the contrary direction too. In Hungary, not only has the birth-rate decreased, but the rate of mortality too has declined in a similar measure. Between 1891 and 1895 the average mortality was 31·8 per thousand : whereas in 1906 it was only 24·8. The natural increase of population is therefore in reality more favourable than previously ; for while, between 1891 and 1895, the average birth-rate only exceeded the mortality by 9·9 per thousand, in 1906 the balance in favour of the birth-rate was 11·2 per thousand. The mortality of children also shows a decided

improvement ; for while, between 1891 and 1895, 52·3 of the deaths were those of children under five, in 1906 the proportion was only 45·7. And whereas in 1891-1892, the number of deaths of children below five years of age amounted to 40 of the births, in 1906 the proportion had sunk to 31·4.

Although the question of public health has been thoroughly reformed of late years, infectious diseases are still responsible for a large proportion of the deaths. Of the deaths certified by medical men in 1906, 24·14 were caused by infectious diseases. Of the latter, the largest proportion (14·21) were due to tuberculosis. If we consider non-infectious diseases, 16·71 of the deaths in the same year were due to diseases of the respiratory organs ; of these, 10·63 were caused by inflammation of the lungs alone. This latter disease is furthered in Hungary by the extremes of temperature, practically without any transitional stages. Diseases of the digestive organs were responsible for 14·30 of the deaths ; of particular frequency were catarrh of the stomach and intestinal catarrh, partly owing to the extreme richness of the food, partly, especially in the case of children, to the eating of unripe fruit. To nervous disorders 11·17 were due (5·12 to convulsions, 4·47 to meningitis and strokes) ; to innate weakness 8·35 (including children prematurely born) ; to old age (debility) 7·44 ; and to various affections of the



Photo

SCENE ON MARGARET ISLAND, BUDAPEST,

Drawn

[To face p. 42.]

heart 5·78. Carcinoma was responsible for 2·60 of the deaths, and the data in our possession prove that this terrible disease is making rapid strides in Hungary, as in the other countries of Europe.

Although there is still much to be done to conquer the ravages of disease, the actual increase of population is progressing in a normal manner. Between 1880 and 1890 it was 10·9, between 1890 and 1900, 10·2. The natural increase was still more favourable, viz. 12·2 and 11·2 respectively; but the emigratory movement of the people during the last two decades has acted most unfavourably on the development of the population.

Of recent years emigration has made rapid strides; the rush of the lower classes to America has assumed the proportions almost of a general migration. In 1906, according to the Hungarian statistics of emigration, 150,000, according to the American Bureau of Immigration, 168,000 Hungarians landed on the shores of the New World. During the same year the number of people leaving Hungary (including those who emigrated to America and to various countries of Europe) amounted in all probability to close on 200,000, and was almost as large as the natural increase of population. The danger of this unfortunate circumstance is, however, somewhat diminished, if we consider that the emigration is due to a desire to find work, and that the Hungarian subjects

working in the factories and mines of the United States not only send their savings home, but actually return when they have succeeded in acquiring a small capital.

In certain counties, where emigration has for some time been the fashion, even according to the defective official statistics, the number of those returning amounts to about 30 to 40% of the emigrants. Naturally enough, during the late crisis in America, the number of emigrants from Hungary decreased considerably, while the number of people returning to the country reached hitherto unknown proportions. We must not, however, attribute much importance to the latter fact, a merely temporary phenomenon. Emigration is an undeniable misfortune which must be remedied, to prevent the proper development of the population of Hungary being brought to a standstill.

The question of public health, however great the improvement during the last decades, requires serious consideration. At the close of 1906, the number of medical practitioners was 5370, *i. e.* one doctor to 3585 souls. Taken as a whole, this average is a large one : but the extremes are remarkably great. Particularly unfavourable is the situation where the population is not dense, but scattered over a large area in a quantity of villages. Of certificated midwives, there are 12,800, *i. e.* one midwife to 1504 souls. Besides the certificated midwives, many peasant midwives are still active. There are 2014



Photo

SKATING RINK AND PAVILION, CITY PARK, BUDAPEST.

Divald

[To face p. 45.]

pharmacies, *i.e.* an average of one pharmacy to 9560 souls.

The large majority of Hungarian hospitals are equipped with all the requirements of modern hygiene. Yet their number is not sufficient, in proportion to the population of the country. In the whole kingdom, there are only 449 general hospitals, with an aggregate of 37,545 beds. In 1906, the number of patients amounted to 366,200; and that of nursing days to eleven millions. Besides the general hospitals, in 3030 parishes there are fever hospitals, which are more or less fully equipped. But the latter are rather means of precaution intended for the quick suppression of any epidemics that may arise. In 1906, only 4027 patients were treated in them, while the number of nursing days only amounted to 97,000.

Nature has endowed Hungary with a wealth of medicinal waters. In practically every part of the country are to be found cold mineral and thermal springs. Budapest itself, the capital city, is remarkably rich in medicinal springs. A whole series of hot springs containing lime and sulphur are to be found rising out of the volcanic hills on the right bank (of the Danube). A hot spring containing lime and sulphur, wells forth on the fairy-like Margaret Island situated in the middle of the river; and there is a similar water produced by the Artesian well, situated in the City Park. The hot springs are extremely rich, and so numerous

that of the baths situated on the right bank of the river there is one which itself contains sixteen such springs. The permanent temperature of the water differs in the case of the various springs, ranging between 27° and 74° C. Besides these hot springs, the capital possesses numerous wells containing bitter waters, the excellence of which is proved by the fact that they are to be found in all parts of the world, including Great Britain.

Besides the capital, in other parts of the country too are to be found sulphuric hot springs of remarkable healing properties, which offer relief and even perfect cure in the case of obstinate and serious diseases, *e. g.* rheumatism, gout, gouty concretions, exudations, and all diseases of the bones, etc. We have not space enough to enumerate all these places, and must confine ourselves to the more important only. One of these is Herculesfürdő near the lower Danube, in the romantic valley of a smaller river ; Pöstyén, in the lovely valley of the Vág ; Trencsén-Teplitz, which is also in the vicinity of the Vág. Of the chalybeate springs, special mention is due to Vihnye and Rajecz ; of the alkaline hot springs, to Lipik ; of the pure and earthy hot springs to Stubnya and Keszthely. In Hungary proper, there are 38 important watering-places with hot springs.

Of cold mineral springs there are still more. There are earthy, alkaline, salt, sulphatic, aluminous, and other waters. The official statistics contain 97



Photo

BATHING IN LAKE BALATON.

Erädyt

[To face p. 47.]

watering-places possessed of springs of this class, of which it must suffice to mention the following : Borszék, Előpatak, Tusnád, situated in the enormous pine and beech forests of the eastern Carpathians, Paráđ, in one of the valleys of the Mátra range that stretches down to the plains of the Great Lowlands, Tarcsa on the western frontier of the country, Koritnicza, and Bártfa at the foot of the northern Carpathians.

Of the climatic health-resorts situated in the mountains, we have already mentioned those in the High Tára, including Old and New Tátrafüred, Tátra-Lomnicz, Csorba-tó (Lake Csorba) and Barlangliget, etc. ; at the foot of the southern Carpathians there is also an eminent climatic health-resort, Marillavölgy. The statistics deal with visitors to some 52 climatic health-resorts.

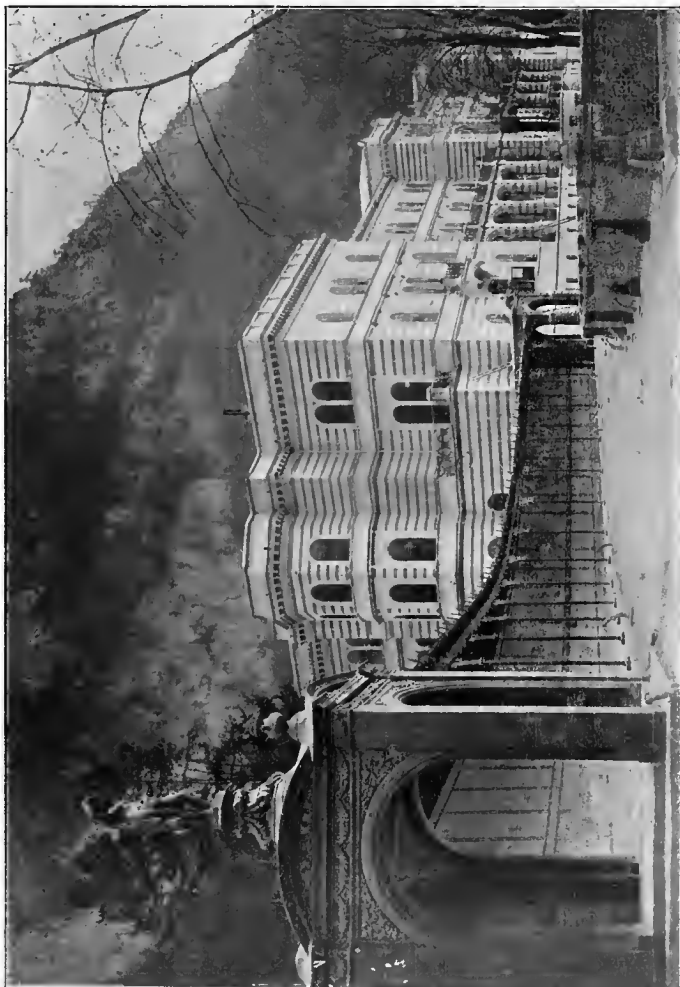
We have spoken in general outlines of the watering-places skirting the banks of Lake Balaton, the so-called "Hungarian Sea." Of these the most famous are Balaton-Füred, Siófok, and Balaton-Földvár ; but the other places too are developing rapidly and making remarkable progress. To-day there are 18 watering-places on the banks of the Balaton. Besides these, there are eight other health-resorts situated on the banks of lakes, which raise the number of our watering-places in Hungary proper to 213.

4. MINING, SMELTING, AND INDUSTRY

The mining of Hungary has a great past. Not to mention the fact that the digging and smelting of ores took its origin in the bronze age, and that later on the Romans too engaged in mining on the present territory of Hungary, mining has played the part of an important branch of production in the economic life of Hungary ever since the days of the first kings of Árpád's line. The mining of precious metals was the most important. As the greater part of the income of the Treasury was due to the mines, the kings of Hungary endeavoured to promote mining as an occupation by the granting of privileges and by opportune measures carried out with a view to regulating its practice. In point of scientific equipment the Hungarian mines occupied a prominent position ; in fact, to some extent they acted as pioneers in that branch of industry.

Ever since the production of precious metals in Europe was surpassed by the fabulous wealth of the New World, the mining of the same in Hungary has lost much of its former importance : and the exploitation of iron and coal, two of the most significant mining products of great industrial states, owing to the backward state of Hungarian industry, has been unable to assume the proportions attained in countries whose industry is better developed.

In 1906, besides the colliers, there were 74,625



Photo

Encre

THE HOTEL, HERKULES-BATIS.

[To face p. 48.]

workmen employed in the mines of Hungary. The greatness of the development in this branch is proved by the fact that two decades before the number of workmen was only 46,134: consequently the increase recorded was one of 61·7.

Of the whole number of workmen, 13,271 (17·8) were engaged in mines and smelting works belonging to the Hungarian Treasury. The production of salt (almost exclusively rock salt, in fabulously rich mines) is a monopoly of the State; in the production of silver too, State mines are in the majority, whereas in the other branches of mining and smelting, including that of gold, private undertakings predominate.

The advance of private enterprise has given a mighty impulse to the production of gold. Between 1868 and 1876, the average annual production of gold was only 1534 kilograms, whereas in 1906 it had risen to 3738 kilograms and represented a value of 12,300,000 crowns (£513,000). On the other hand, the production of silver has been continually on the decrease; for whereas between 1868 and 1876 the average annual output was still 21,787 kilograms, in 1906 it was only 13,642.

Still greater was the decline in the output of copper, which, like that of silver, has dwindled into insignificance owing to the competition created by the over-production of North America. The mining and smelting industry of Hungary does indeed still produce lead, antimony, zinc, etc., but

the output is in all cases an insignificant one. Of much more importance is the production of iron. Hungary is extremely rich in iron ore. There are very extensive iron mines of excellent quality, chiefly in the east and north. The output of ore is advancing rapidly ; whereas in 1887 only 5,660,000 metercentners (*v. supra*) were produced, by 1906 the output had risen to 16,980,000 metercentners. Consequently, in twenty years the production was almost trebled. Unfortunately, the production of raw iron has not kept pace with this advance ; every year more and more iron ore is exported to Silesian furnaces to be refined. The export of iron ore from Hungary in 1887 amounted to only 2,550,000 metercentners ; in 1906 it had risen to 6,750,000 metercentners. Notwithstanding, the production of iron (metal) too has advanced, during the same period of 20 years, from 1,930,000 to 4,200,000 metercentners : *i. e.* it has more than doubled. But the advance has not been a continuous one. The production of raw iron in Hungary reached its maximum in 1899, when it amounted to 4,710,000 metercentners, and since then it has been rather on the decline.

Much more permanent and vigorous is the advance of the production of coal. Nature has provided Hungary with enormous quantities of coal in numerous fields to be found all over the country. The only unfortunate point is that Hungary is comparatively poor in the more valuable black

(mineral) coal with its large proportion of caloric ; there is a great predominance of brown coal of later formation, which represents indeed more than 80% of the whole annual output. It is true that among the brown coal mines of Hungary there are some which supply valuable coal with a large proportion of caloric. The output of coal in Hungary is advancing with giant strides : whereas in 1887 it was only 25,100,000 metercentners (about 2,510,000 tons), in 1906 it had already risen to 76,030,000 metercentners. During the same period, the export of coal from Hungary also made a great advance : for, whereas in 1887 it was only 843,000, in 1906 it had risen to 3,720,000 metercentners. Yet the import of coal has made a still greater advance, from 4,660,000 to 18,470,000 metercentners. Consequently the consumption of coal last year in Hungary exceeded 90,000,000 metercentners. These figures show that the rapidly advancing output is unable to meet the demand ; for the consumption has advanced still more rapidly, a welcome sign of the development of Hungarian industries.

A consciousness of the importance of industrial enterprise had taken a fair hold of public opinion as early as the first half of last century ; while after the Compromise of 1867 it became the general conviction of everybody that no country engaged exclusively and one-sidedly in agriculture could bear the burdens that fall upon a modern state. Con-

sequently endeavours to develop industry began to assert themselves with continually increasing force.

We cannot assert that Hungary had no industry at all. Domestic industry and handicrafts were in vogue all over the country. We see noticeable beginnings of manufacturing industry too ; indeed, one or two branches of industry directly connected with agriculture, such as milling and distilling, attained a high degree of development, and were not only able to meet the demands of home consumption but, in the second half of the century, took rank as important factors in the markets of the world. The industrial backwardness of Hungary did not actually begin to make itself felt until the manufacturing industry of foreign countries had made an advance hitherto unexpected, and the perfection of the means of communication rendered it possible for the products of foreign factories to inundate the country. The feeble and, in many respects, primitive industry of Hungary was unable to compete with that of Austria, which had enjoyed the support of protective duties for centuries and had been strengthened by the assistance of the State ; and home industry was every year less able to cope with the constantly increasing demands of home consumption.

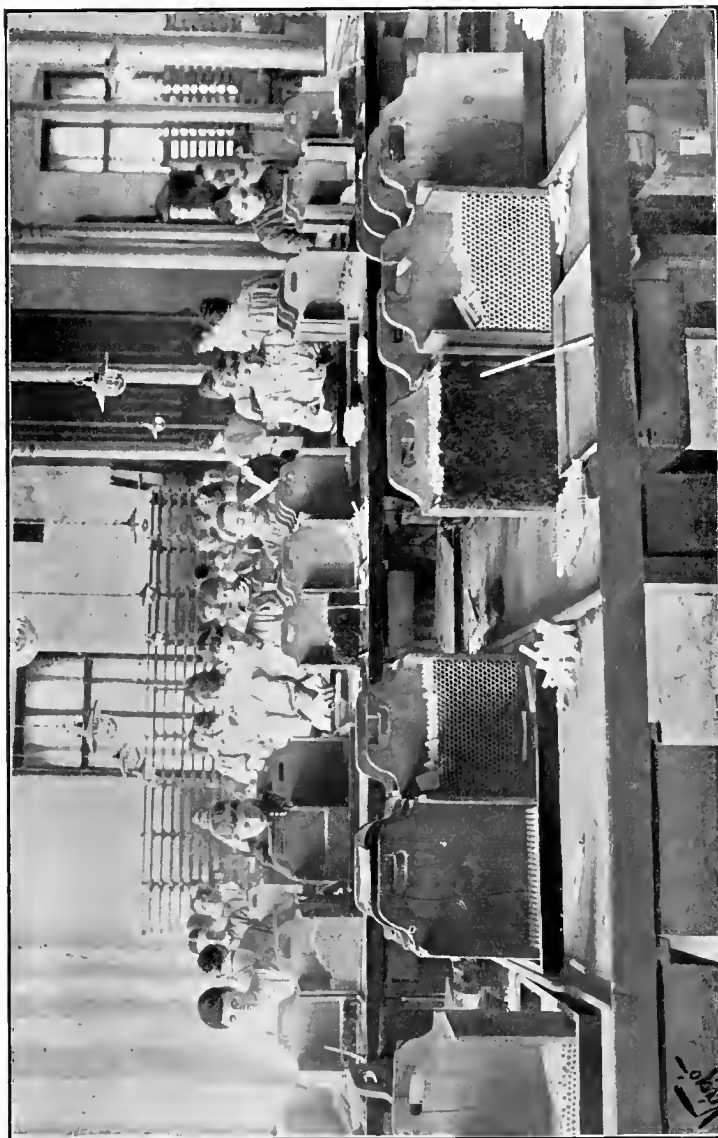
Yet even in this grave position, Hungarian industry did not decay ; in fact, after gradually overcoming the troubles incident on the transition, it began vigorously to develop. This fact is

proved, not only by the increased consumption of coal referred to above, but by the advance in the number of persons employed in industry. In 1869 the number of such persons was only 646,964, *i. e.* only 9·4 of the aggregate number of bread-winners ; in 1880 it had advanced to 788,970 (11%) ; in 1890 to 898,918 (11·8%) ; and in 1900 to 1,127,130 (12·8%). During a period of 31 years, therefore, the number of persons employed in industry increased 74·2% ; whereas, during the same period, the whole population of the country only increased 24·0%. The increase was one, the proportions of which were continually greater. From 1869 to 1880 (11 years) it was only 22% ; whereas from 1890 to 1900 (10 years) it was 39%. And the efficacious plan of campaign undertaken by the State for the development of industry did not really begin until 1900.

This action (for the support of home industry) was at first conducted on very modest lines, being confined for the most part to a certain material support of domestic industry (later on of handicrafts). Between 1868 and 1880 inclusive, *i. e.* during 13 years, the aggregate sum devoted to this purpose was only 416,420 crowns. The real action on the part of the State for the protection of home industry was initiated on the basis of Act XLIV of 1881, which guaranteed exemption from taxes and dues as well as cheap industrial salt to all factories equipped with all the latest improvements

of technical art, engaged in the manufacture of articles not produced in Hungary up to that date or specified in the Act. Act XIII of 1890 extended the favours to a still wider area, and increased the same, declaring that the transport by the State railways and all railways enjoying a guarantee of interest by the State of all materials, machines, and parts of machinery required for the building and equipment of such factories should be carried out at a rate merely covering the working expenses. Further, it guaranteed such factories the right, within certain defined limits, of expropriation. Act XLIX of 1898 still further extended the sphere of privileges to cover a still greater number of industrial enterprises. It was determined that the State should have the right to grant such favours to co-operations consisting of handicraftsmen or farmers, which were engaged in the production of the industrial articles enumerated in the Act ; to all enterprises based on the regular employment of a larger number of persons engaged in domestic industry ; and finally to shipyards, docks, etc.

For the development of home industry, Act III of 1907 is at present in force. This Act is destined to open a new era for Hungarian industry. It does not enumerate specifically those branches of industry which may be granted State favours, but enables the Government to offer concessions and State aid in accordance with real industrial needs,



Photo

CIGARETTE-MAKING BY HAND, KOLOZSVÁR.

Livadia

[To face p. 54]

and after taking into consideration all the circumstances of each particular case. As a check on this discretionary power, provision is made that the Minister of Commerce shall deliver a report every year to Parliament of the concessions and favours granted. While granting exemption from taxes, the Act furthers the building of workmen's dwellings, and declares besides that the municipal and parish authorities may encourage the building and extension of factories and industrial establishments falling within the provisions of the Act, as well as of workmen's dwellings, by the grant of money and other support. The Act goes further still. It authorises the Minister of Commerce to give a grant (either a lump sum once for all, or a certain annual allowance for a period of years) out of the money appropriated for the development of home industry, to certain enterprises, if he considers the creation, extension, or maintenance of any particular industrial enterprise, as a means of increasing or guaranteeing the production of home industry, to be desirable from the point of view of national economy. Finally, the Act provides for public contracts too. It guarantees that the State, municipal and parish authorities, the institutes maintained or subventioned by the same, and all enterprises engaged in the service of public traffic, shall have their industrial requisites supplied, and their works carried out, by home industry. The sum spent annually on such requisites and works

may be roughly estimated at 200,000,000 crowns (£8,333,333).

These concessions and favours are sure to create a spirit of enterprise in Hungary, and to serve as an incentive to foreign firms to settle in the country. It is desirable that British capital and British technical skill should take part in this work.

The results hitherto attained in this field are by no means despicable. Between 1881 and the close of 1906, *i.e.* during the period in which the first three Acts were in force, 838 new factories were established, and 43 already existing factories were extended to include a fresh branch of industry. Besides these, 408 older factories enjoyed concessions : so that the aggregate number of factories benefiting by the Act was 1289. It is true that of the said factories 572, *i.e.* 44%, were agricultural spirit distilleries. At first the latter were too much in the preponderance : but of the factories established under the auspices of Act XLIX of 1889, only 15% were agricultural spirit distilleries ; and every year we find an increase in the number of manufacturing enterprises serving to satisfy the genuine industrial needs of the country. Between 1881 and the close of 1906, 91 factories engaged in iron and metal industry were granted State favours ; while of the others enjoying similar concessions, 89 were machine factories, 102 were engaged in the production of earthenware, pottery and glassware, 35 in wood and bone industry, 5 in

leather industry, 144 in weaving and spinning, 10 in clothing industry, 32 in paper industry, 69 in the production of articles of food and drink (not including the distilleries), 133 in chemical industry, 2 in reproduction. Of all the branches of industry, those of weaving and spinning are the most conspicuous : it is the product of these industries which Hungary is obliged to import in the largest quantities.

The support of industrial enterprises by money grants was very moderate, particularly at first. During the quarter of a century that has passed since the action was initiated for the furtherance of home industry, the State has appropriated altogether some 26,330,000 crowns (1 korona = 10d.) for the purpose of encouraging industry ; of this sum, 20,690,000 crowns (78%) was given during the last seven years. From 1881 to 1890, only 126,000 crowns was expended yearly on the average. Between 1891 and 1899 the annual average was 487,000 ; and between 1900 and the close of 1906 the average was 3,000,000 crowns. In fact, in the last year (1906) of that period, more than 7,000,000 crowns were devoted to the purpose.

Although the chief stress is laid on manufacturing industry, without the strengthening of which the home consumption cannot be secured for home producers, in its endeavours to encourage industry the State has not forgotten small trade. It too has had its share of direct support. Between 1900 and

the close of 1907 the State expended about 5,000,000 crowns on the equipment of the workshops of small industrials (particularly by the supply of suitable machinery and tools), on the support of co-operations of small tradesmen, and on the training of master workmen, journeymen, and apprentices (by the granting of scholarships). Above all, however, the State is endeavouring to secure the firmest possible foundation for home industry by the systematising of trade and technical education.

The lowest grade of this education is the instruction of apprentices regulated by Act XVII of 1884. Industrial apprentices are, without exception, obliged to attend school; and every parish which contains at least 50 apprentices engaged by contract, must establish an independent apprentice school. There are two kinds of apprentice schools—general and special. The latter are only to be found in the capital and the larger provincial towns. At the close of the school year 1905-1906, there were 460 apprentice schools (of course not including those for commercial apprentices) with 66,030 pupils.

Exclusively practical training is given in the schools for craftsmen, established with the object of encouraging the special domestic industries peculiar to certain districts. At present there are six schools of this kind in the Hungarian kingdom, with 168 pupils, for training in basket-weaving, toy-making, and lace-making.

The objects of the special industrial schools are

more general. By imparting practical and theoretical training they endeavour to educate industrial journeymen suitable for the development of handicrafts, who shall be able to act with efficiency in smaller establishments as foremen or overseers. There are 22 schools of this kind, with 1177 pupils.

At the head of the institutes engaged in trade industrial education in Hungary stand the higher industrial schools (there are four such, with 710 pupils), the object of which is to train not merely foremen and overseers, but thoroughly qualified master workmen too and persons suitable for the management of smaller industrial establishments and factories. For the various branches of decorative art, the Budapest School of Decorative Arts trains thoroughly qualified workmen : in 1906 this school had 156 pupils. We have already spoken of the University of Technical Sciences, which offers an opportunity for the acquirement of the highest degree of industrial and technical knowledge and special qualifications.

There are, besides, industrial schools for women, for a systematic practical training in needlework. In 1906, 1624 pupils were qualified in 14 schools for women. Finally, besides the independent institutes for industrial education, there are industrial courses held in connection with the industrial and higher industrial schools, for the further education of grown-up industrials.

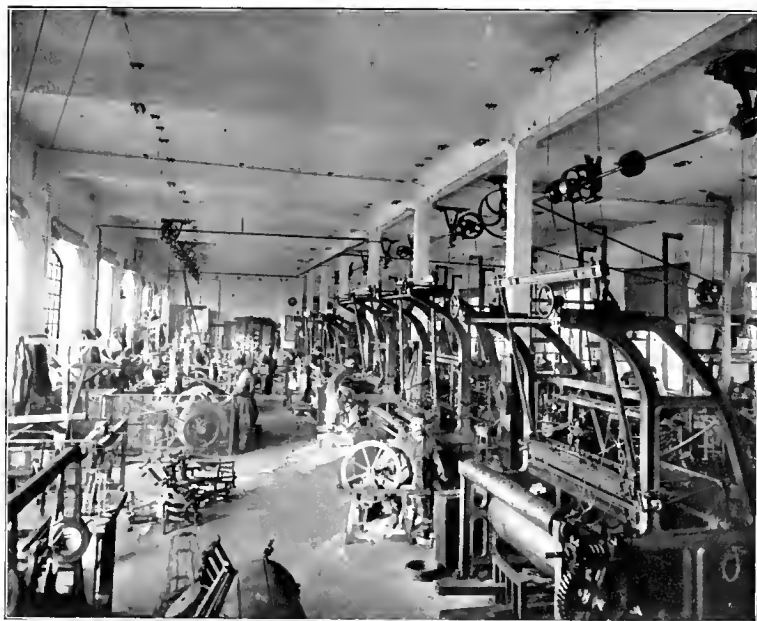
Mighty factors in the furtherance of small trade are the technological museums, partly by their permanent collective exhibitions, partly by keeping the public in touch with the latest innovations in the field of technical science. To the sphere of these museums belongs the supplying of the small trade with adequate machinery ; and they often offer valuable guidance to even the most important enterprises by making public the most perfect methods of manufacture.

The organisation and maintenance of the large majority of the industrial schools and institutes is provided for by the State : but several of the larger towns, as well as the parties interested, also take their share in the work. In this field work worthy of notice is being done by the Chambers of Commerce and Industry, which are the organs of the industrial and commercial groups, and have the character of authorities.

According to the census of 1900, there were 1,127,130 industrials earning their living in Hungary ; of these, 1,077,226 were engaged in industry proper, 43,081 in domestic and popular industry, and 6823 in travelling industry. In industry proper, the number of independent industrials (master workmen) amounted to 381,664, that of assistants to 695,562. The number of independent industrials was far exceeded by that of industrial enterprises, for the owners of many of the latter were either "fictitious persons"



PAUL KOLLERICH AND SONS' WIRE WORKS, BUDAPEST.



STEEL WORKS OF THE AUSTRO-HUNGARIAN STATE RAILWAYS, RESICZA.

[To face p. 60.]

or not industrials at all. The industrial enterprises were distributed as follows, according to their size—

	No. of enterprises	% of whole
(a) without assistants. . . .	301,025	64·2
(b) with 1 " 	88,001	18·7
(c) with 2 " 	38,598	8·2
(d) " 3-5 " 	30,016	6·4
(e) " 6-10 " 	7,025	1·5
(f) " 11-20 " 	2,633	0·5
(g) with more than 20 assistants (workmen).	2,261	0·5
	<hr/> 469,559	<hr/> 100·00

The huge preponderance of enterprises working without assistants or with only one assistant, is by no means a welcome sign, proving as it does the undeveloped and unorganised state of Hungarian industry ; on the other hand, the fact that nearly 40% of the aggregate number of assistants are engaged in enterprises employing more than 20 hands, shows that the large industrial enterprises of Hungary are really big concerns. Although the economic and industrial depression of 1900 made the industrial enterprises reduce the number of employés in that year to a minimum, there were iron foundries, machine and wagon factories employing more than 2000 hands ; in fact, there was one iron and one steel foundry, the number of hands working in which amounted to 4447.

The employés working in industrial concerns

were distributed as follows among the chief groups of industry—

1. Iron and metal workers	128,219
2. Machine factories, manufacture of vehicles and other means of communication, electrical industry, etc.	72,415
3. Earthenware, pottery, glass and stone industries	44,886
4. Wood and bone industries	95,824
5. Leather, brush and feather industries	16,595
6. Weaving and spinning	34,156
7. Clothing industry	281,320
8. Paper industry	7,727
9. Manufacture of articles of food and drink	143,736
10. Chemical industry	14,491
11. Building trade	125,070
12. Reproductive industry and decorative arts	17,059
13. Hotels and restaurants	95,332
14. Other industries	396

The industry employing the greatest number of hands is the clothing industry ; next follows the manufacture of articles of food and drink ; but both the building trade and the iron and metal industries employ a large number of workers.

We have no exhaustive data giving a complete perspective of the present state of Hungarian industry, and we can only offer a few details as a complement of the above statistics. In 1906, 438 home limited companies were at work with 640, and 19 foreign companies with 53 industrial establishments. The paid-up capital of the former amounted to 509,000,000 crowns, while the aggregate capital shown in the balance-sheet reached a sum of 1,345,000,000 crowns ; the net profits of

the same amounted to 56,170,000 crowns (111.03% of the paid-up capital), though 89 limited companies ended their business year with a deficit.

In 1898 an elaborate collection of statistical data relating to the output of the manufacturing industry was made. But these are now out of date, and at the same time are concerned with those few branches of industry only, data referring to the output of which are collected from year to year. Such is the beer industry. In 1906 there were 90 breweries, which produced 1,690,000 hectolitres of beer. In Hungary, however, the consumption of this beverage is not very general : consequently the output of the same cannot assume larger proportions, though we are obliged to import to satisfy the demands of home consumption ; while a great deal of excellent Hungarian barley is exported to Austria and Germany (part of it goes to Great Britain and Holland too) for making beer there.

There were 67,076 spirit distilleries at work. Besides industrial and agricultural distilleries, there are numerous smaller stills used for the distillation of fruit spirits, rape wine, and settlings. In 1906 the pure spirit produced amounted to 1,039,000 metercentners.

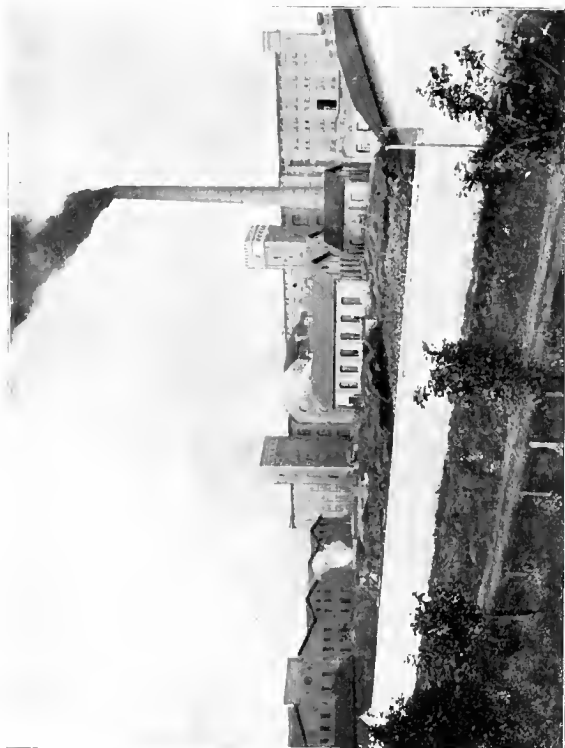
Like the distillation of spirits, the production of sugar is also of great importance from the point of view of agriculture. There are few sugar factories in Hungary, but they are all very large. In 1906, in 21 sugar factories, 15,215 hands were

employed ; and 424 steam machines of 19,321 horse-power were working. From 21,640,000 metercentners of beetroot, these factories produced 3,180,000 metercentners of sugar.

The milling industry has attained a high level of development ; not only is it able to satisfy the demands of home consumption, but it exports an ever-increasing quantity of flour. In 1906 the mills of Budapest alone ground 8,370,000 metercentners of corn ; while the flour export of Hungary amounted to 7,820,000 metercentners, representing a value of 183,550,000 crowns. The great majority of this export has to be marketed in the neighbouring country of Austria, owing to the heavy competition in the western flour-consuming countries ; but the peerless excellence of Hungarian flour has enabled Hungarian exporters to market 294,000 metercentners in Great Britain too, though the Hungarian mills are obliged to enter the lists against the mighty American mill industry, which is able to produce cheaply, and against those of France and Germany, which enjoy concessions respecting the duty on flour.

5. TRAFFIC (RAILWAY AND STEAMBOAT SERVICES, ETC.)

There are countries where Nature herself offers the cheapest channels of communication—the sea and navigable waters. Hungary can scarcely be



HUNGARIAN COTTON MILLS, POZSONY.



HUNGARIAN IRON FOUNDRY, HERNÁDVÖLGY.
[To face p. 64.]

included among these fortunate countries. The sea (and that not a large world-sea, but a small bay and a channel of the Adriatic closed in by island groups) only fringes 150 kilometres altogether of the frontier of Hungary ; the value of this seaboard is greatly depreciated by the fact that it is separated from the heart of the country by the watershed of a high mountain range, over which no waterway leads, and transport by rail is very difficult and expensive.

But there are navigable rivers in Hungary. The largest river in Europe, the Danube, crosses right through Hungary in an oblique direction, covering a distance of 1000 kilometres. Only the Danube flows into the Black Sea, the most secluded sea in Europe, taking with it the other navigable rivers of Hungary too. Towards the west the Danube does indeed open the way to Austria and the German empire, but the direction of the stream is not favourable to Hungary. For while the industrial products of Western countries, which, while not being bulky, represent a large value, are brought down stream to Hungary quickly and at a lesser cost, the bulky raw products of Hungary are obliged to fight their way with difficulty against the current. Even from the point of view of inland traffic, the direction taken by Hungarian rivers cannot be pronounced a favourable one. The Danube coming from the west and the Tisza from the east, both turn southward, and for a long time flow

parallel, to meet down in the south. There is, indeed, a canal connecting these two rivers, but that, too, is situated very far south, so that the goods coming down the Tisza have to go a long way round to reach the Danube. Recently preparations have been made for the building of a second Danube-Tisza canal, designed to counterbalance the untoward and unfortunate state of things created by the direction taken by the two rivers. It is also planned to build a canal to connect the Drave and the Save, that the products of the Hungarian Lowlands may be able to go most of the way to the sea-coast by water.

To turn to a description of the other means of communication. The length of the network of high-roads in Hungary amounted in 1906 to 92,317 kilometres, not including parish field-ways and public paths for the use of the inhabitants of certain villages and roads leading to railway stations, the length of which alone exceeded 72,000 kilometres. Taking the high-roads proper, for every 100 square kilometres there were 28·7 kilometres of public roads, and for every 10,000 inhabitants 45·6 kilometres. We cannot call this a small proportion, though the state of the public roads leaves much to be desired. In the great Hungarian Lowlands there is an absolute lack of stone material, a fact that makes the building and up-keep of public roads very difficult and expensive. Consequently a considerable part of the public roads of Hungary

are still unmade, and in autumn and winter the mud makes them practically impassable. The 9815 kilometres of State roads are completely macadamised. Of the 37,266 kilometres of municipal roads, only 29,410 are built with stone material; while of the 45,235 kilometres of parish roads, only 18,024 are made of road metal. There is, therefore, enough to be accomplished, though recently much has actually been done to improve the public highways of Hungary.

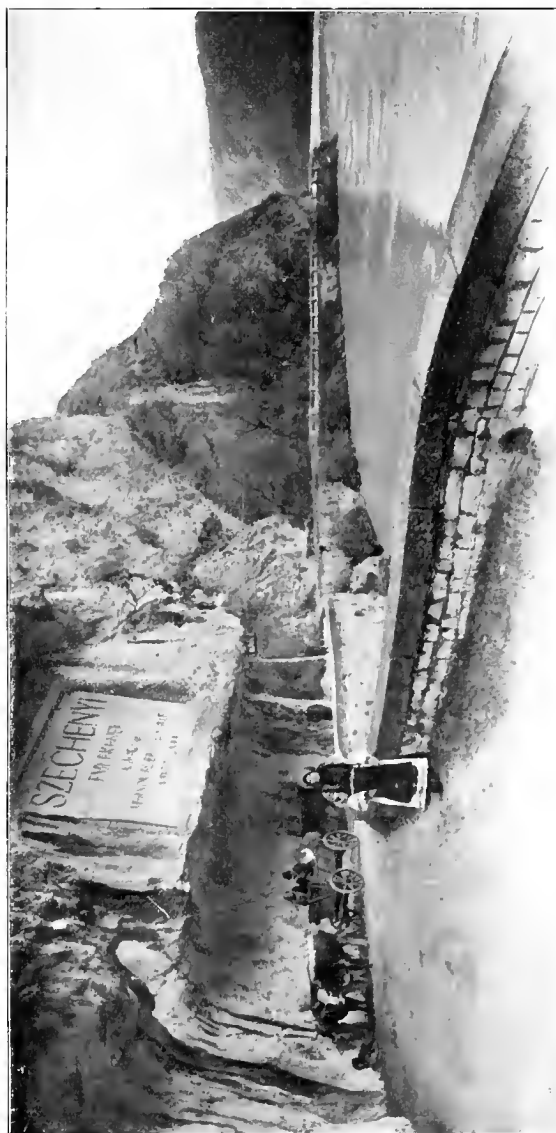
The up-keep of the public highways in a considerable part of the country is extremely costly, owing to the lack of stone material or road metal just mentioned. The surveying and up-keep of the State roads alone cost 7,470,000 crowns in 1906. For the making of new State roads, no less than sixteen million crowns have been appropriated during the last five years, an average of more than three millions per annum. In 1906 the up-keep of municipal roads cost more than 20,000,000 crowns.

The number of town tram-lines engaged in the service of public traffic (mainly passenger traffic) in the towns, was 27 in 1906, with an aggregate length of lines of 284 kilometres, 1146 passenger and 107 goods cars. The cars performed 8,000,000 journeys, and carried 115,000,000 passengers and 648,000 tons of goods. The invested capital of these tram-lines, at the close of the said year, was 110,000,000 crowns; their receipts amounted to 20,000,000 and their expenditure to 12,000,000

crowns. The profits of the companies exceeded 8,000,000 crowns. About 80% of the whole traffic fell to the capital city, Budapest, alone.

At the close of 1906 the network of railways in the Hungarian kingdom comprised 18,676 kilometres of lines, 5·8 kilometres to every 100 square kilometres of territory, and 91·7 kilometres to every 100,000 inhabitants. In proportion to the population, Hungary is well enough off for railways; but the proportion to the area of the country is less favourable.

The first railway was built in 1846; but the events of 1848–1849 soon put an end to the development thus begun, which the absolute *régime* did not favour at all. Consequently by the close of 1866 there were only 2160 kilometres of railway lines in the Hungarian kingdom, a number that was more than trebled within the next decade. For a long time the system of private railway companies prevailed. In 1867 and the following years only feeble attempts were made towards nationalisation. But owing partly to the enormous burden that fell on the State through the guarantee of interest (dividends), partly as a means of reforming the backward economic conditions of the country, the creation of a uniform railway system appeared necessary; and both the Government and the public were convinced that the railways must be nationalised. New lines were built under State management, and the older private lines began to



Photo

SZÉCHENYI MEMORIAL TABLET, IRON GATE.

Erdélyi

[To face p. 69.]

be bought by the Treasury. The system of nationalisation has made such progress that in 1906, of the whole network of railways in the kingdom, 7772 kilometres belonged to the State, 7760 kilometres were private (mostly local) railways under the management of the State, and only 3152 were the property of, and managed by, private companies.

As early as 1848 Count Stephen Széchenyi, one of the greatest statesmen Hungary has ever had, when, as Minister of Public Traffic, he worked out a scheme for the network of railways in Hungary, marked out Budapest as the central point of that network, on which the lines should converge as the veins do on the heart. Even since the compromise of 1867, the Hungarian Government have shown indomitable perseverance in their endeavours to realise this plan, the only sound one from the point of view of railway policy ; and to-day lines run in all directions from Budapest, not only connecting the various parts of Hungary with the capital, but serving as important channels of international traffic. Of these connections, eighteen are with Austria, which touches Hungary on the west, and forms a half-circle round that country. There are five railway connections with Roumania, one with Servia, and two with Bosnia ; and there is, besides, a most important line leading to Fiume and the Hungarian sea-board.

About 3,632,000,000 crowns have been invested in the railways of the Hungarian kingdom. The

average per kilometre is 195,318 crowns, but there is a great difference between the trunk and local lines. The former cost 294,518, the latter only 88,418 crowns a kilometre. Of the capital invested, 563,000,000 crowns were spent in rolling stock. In the aggregate (*i. e.* all railways combined) there were 3178 locomotives, 2348 tenders, 6722 passenger carriages (cars), and 76,098 goods trucks and luggage vans (the number of the latter was 1977); finally, 274 mail vans. There is a nearly equal number of covered and open trucks: of the former there were 37,620, with an aggregate tonnage of 430,000 tons; of the latter, 36,502, with an aggregate tonnage of 445,000 tons.

In 1906 the Hungarian railways carried 96 million passengers, and the number of kilometres traversed by passenger trains amounted to 3,356,000,000. The average distance travelled by each passenger was 35 kilometres; but the average for first-class passengers was 90, while that of third-class passengers was only 29.

A few decades ago the passenger traffic of the Hungarian railways was very poor; but the zone traffic introduced by Gabriel Baross, Minister of Commerce in 1889, gave it a great impulse. In 1887 the aggregate number of passengers carried by Hungarian railways was only 13,450,000; so that during the twenty years that have passed since that date, this number has increased by 615%, whereas the length of the railways has advanced only 84%



Photo

CENTRAL RAILWAY STATION, BUDAPEST.

Dizalt

[To face p. 70.]

during the same period. An increase of these dimensions is almost unparalleled.

In 1906, the amount of goods forwarded by rail was 56,000,000 tons, representing an aggregate of 6,426,000,000 tonkilometres. Every ton of this amount traversed on an average a distance of 115 kilometres. So the goods traversed, on the average, three times the distance traversed by the passengers.

During the same year, the business receipts of the railways amounted to 363,000,000 crowns, 96,000,000 from passenger and 254,000,000 from goods traffic, and 13,000,000 from other sources. The business expenses were 200,000,000 crowns in round figures, *i.e.* 55·12% of the whole receipts. Consequently the aggregate surplus of the railways amounted to 163,000,000 crowns, of which sum 116,000,000 crowns fell to the State railways.

The railways employ 102,731 persons, including 49,220 workmen. The aggregate salaries and pay of the staff and employés of the railways amounted to 123,000,000 crowns.

The inland navigation of Hungary, in comparison to the railway traffic, plays a very subordinate part, though the length of the waterways is considerable enough. The aggregate length of the waters navigable by steamer is 3095 kilometres; while row-boats and rafts can navigate over an aggregate of water some 5000 kilometres long. With the exception of 350 kilometres of canals and 121 kilometres of lakes, the other water-

ways are natural rivers. Partly for protection against the current, partly to get rid of obstacles to navigation, much expensive regulation work has had to be carried out in the natural waterways of Hungary. During 35 years, the State has spent 236,450,000 crowns on the regulation of rivers, of which sum 114,570,000 crowns fell to the Danube, 73,720,000 to the Tisza, 18,000,000 to the two Körös, and 8,990,000 to the Drave. A mighty feat of engineering was the opening of a safe waterway in the Lower Danube through the rocky shallows of the so-called Iron Gates ; and the same may be said of the contracting and deepening of the wide and shallow upper reaches of that river. An expensive and technically difficult task was the regulation of the Danube at and near Budapest, the object of which successfully accomplished work was to protect the capital against the dangers incurred by floods. The regulation of the Tisza was mainly confined to the shortening of its course by cuttings (it is a river which, owing to its extremely slight fall in level, follows a remarkably winding course), and the quickening of its current.

The passenger traffic of the waterways of Hungary (apart from mere ferry service) is very slight. In 1906, only 1,950,000 passengers were carried by steamers ; and the average distance traversed by these passengers (38 kilometres) was scarcely longer than that of the railway



THE HARBOUR, FIUME.

[*Vo face p. 72.*

passengers. Much more important is the goods traffic carried on by steamers, although this too is dwarfed by that of the railways. In 1906, on Hungarian waters, steamers carried 4,280,000 tons of goods ; but while the goods carried by rail only traversed an average of 115 kilometres, the average of those carried by water was 326 kilometres per ton.

There are indeed several ports on the Hungarian sea-board, but the only one of any importance is Fiume. Recognising the significance of a suitable sea-port from the point of view of participation in the commerce of the world, the Hungarian Government, immediately after the Compromise of 1867, determined to make Fiume the great emporium of Hungarian commerce, built the railway line connecting that port with the heart of the country, an extremely expensive undertaking with its long tunnels across the bleak Carst district, and furnished the harbour itself with moles and warehouses. Between 1871 and 1906 the Hungarian State invested 46,000,000 crowns in the port of Fiume.

Owing, however, to the strongly continental character of Hungary, and the difficulties attending transport by rail over this line with its steep gradients, Fiume has not as yet developed into a port-town of the size and importance which the dimensions of the foreign commerce of Hungary would seem to require. In 1906, the number of

ships arriving and leaving the port was 25,279 : their tonnage 4,770,000 tons. Of the latter, only 3·45% fell to sailing vessels, while 96·55% was that of steamships. In this trade, the largest number of ships (with the largest aggregate tonnage) were flying the Hungarian flag ; next in order came those sailing under Austrian colours. British ships, too, play an important part in the shipping trade of the port of Fiume. Of the tonnage of steamers engaged in trade with distant ports, 23·4% fell to British vessels. There are, besides, a large number of Italian boats (mainly sailing boats) engaged in trade with Fiume. Of German vessels there are fewer : while the number of Greek, French, Turkish, Spanish, Danish boats, etc., is quite insignificant.

The value of the goods imported into Fiume by ship in 1906 was 121,130,000, that of the exports 179,840,000 crowns : consequently the whole marine trade of the port represented a value of 300,970,000 crowns. Great Britain and her colonies (in particular British India) take an important share both of the imports and exports of Fiume. In the value of imports, the first place is taken by British (East) India with 29,670,000 crowns ; next come Austria, with 19,250,000 ; the United States of North America, with 18,170,000 ; Italy, with 11,090,000 ; and Great Britain, with 9,950,000 crowns. The most important countries figuring in the list of exports from Fiume are



PORTION OF QUAY, FIUME, SHOWING THE ADRIA S.S. CO.'S OFFICES,

[To face p. 74.]

represented by the following values : Austria, 29,410,000 ; Italy, 21,560,000 ; Great Britain, 21,190,000 ; British India, 19,270,000 ; France, 15,260,000 ; and the Argentine Republic 12,450,000 crowns.

These data, however, do not belong to the sphere of traffic, but to that of commerce. To return to the former, we must deal very briefly with the postal and telegraphic service, and the telephone.

In Hungary, as is well known everywhere, the postal service is on a very high level of development, and can challenge comparison with that of any other country. During the last four decades, it has shown a remarkable development in point both of intensiveness and of extent. In 1868, the number of post offices was only 1312 ; by 1906, it had risen to 5469. At the same dates, the number of postal services were 1231 and 12,715 ; the length of the postal lines 32,565 and 98,204 kilometres ; the distance traversed by the postal services 17,160,000 and 78,480,000 kilometres respectively. The number of letters, etc., forwarded by letter post has risen from 37,800,000 to 683,280,000 ; of articles sent by parcel post from 5,380,000 to 26,660,000, their aggregate weight from 5,320,000 to 108,670,000 kilograms, and their aggregate value from 1,902,000,000 to 6,129,000,000 crowns. Besides, the value of postal orders paid out and that of money collected by reimbursements (a system unknown in the British postal system, for the

facilitation of orders by post), amounting to 1,180,000,000 crowns in 1906 ; and in the same year the amount of liabilities collected through the post was 31,000,000 crowns.

In Hungary the postal and telegraph services are united : consequently no separate statements can be issued referring to the staff and the financial results. In 1906, the staff employed, including auxiliaries (of whom there were 3000 in round figures), numbered 25,955 ; of these 7658 were women. During the same year, the receipts of these two services amounted to 65,820,000 and their expenditure to 50,170,000 crowns. Consequently the expenditure absorbed 76·22% of the receipts ; and a net profit of 15,610,000 crowns was obtained, notwithstanding the extremely low rates of postage both for letter and parcel post.

The length of the lines included in the network of telegraphs amounted to 24,330, the length of the wires to 130,958 kilometres. The aggregate number of telegrams dealt with was 18,930,000, of which 6,250,000 were inland, 3,210,000 foreign telegrams, and 9,470,000 were telegrams dealt with in transit. Whereas 77% of the articles forwarded by letter post were for inland service, only 33% of the telegrams were inland ones.

The most modern means of commercial intercourse, viz. the telephone, is making rapid strides. In 1906, there were 1186 telephone call offices at the disposal of the public, with 34,675 subscribers ;



Photo

GOVERNOR'S HOUSE, FIUME.

Diedelt

[To face p. 76.]

the length of the lines was 22,103, that of the wires, 213,559 kilometres.

6. COMMERCE AND CREDIT

The greatness of the commerce of a country depends upon a favourable situation on the sea or a high degree of industrial development. As, in the case of Hungary, both factors are absent, the commerce of that country has been unable to rise to the level attained by that of more fortunate countries. Yet the progress in this field too is remarkably gratifying, a fact that is proved by the great advance in the number of persons engaged in commerce. In 1869, only 105,027 persons were employed in the service of commerce and credit ; by 1900 that number had risen to 225,838, *i. e.* an increase of 114·4% in three decades. Still greater was the increase in the number of persons engaged in the service of public traffic, which, during the same period, rose from 28,555 to 136,871, *i. e.* no less than 379·0%, well over 100% a decade. This enormous increase of persons engaged in the service of public traffic points to a gigantic advance in traffic, a fact which is an infallible proof of the increased briskness of trade.

Of the 225,838 persons engaged in the service of commerce and credit, 169,313 were employed in commerce proper, 15,431 were market-women and others engaged in market trade, 17,415 were

hawkers, 9,426 agents, brokers, etc., while 14,250 were employed in credit and insurance business. Of those belonging to the sphere of trade and credit, 107,811 were independent merchants and tradesmen, 27,274 were clerks, and 90,853 were in other subordinate positions.

Both the State, the parish (municipal) authorities and society endeavour to offer means and opportunities for young people desirous of entering commercial careers to receive a proper business training. There are numerous commercial schools in Hungary : yet we cannot say that the attendance at the same is by any means satisfactory. In 1906, for instance, the Royal Hungarian Naval Academy at Fiume was attended by only 43 pupils. The High Schools (Colleges of University status) of Commerce, which include the Oriental Academy of Commerce at Budapest, and the Commercial Academies of Budapest and Kolozsvár, are also poorly attended. Their teaching staff included 60 professors : but the number of students was only 202. More gratifying was the attendance at the higher-grade commercial schools ; 37 such institutes, with aggregate staffs of 448 teachers, were attended altogether by 5969 pupils. There were also 21 commercial courses for women, with an attendance of 1141 pupils.

The Chambers of Commerce and Industry are associations for the promotion and furtherance of most commercial and industrial interests of the



CENTRAL MARKET HALL, BUDAPEST.

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country. There are other, private associations, without the character of official authorities, engaged in the same work. An important part is played further in the commercial life of Hungary by the Budapest Corn and Stock Exchange, of which there are 1500 ordinary members. The quantity of corn sold for the account at the Budapest Corn Exchange in 1906 amounted to 61,000,000 metercentners.¹

There are no statistical data dealing with the inland trade of Hungary, except with reference to cattle markets, which, however large the business done there, form but an insignificant fragment of the inland trade of the country. Consequently in this short sketch we shall confine ourselves to a brief statement of the foreign trade of Hungary.

Hungary is surrounded by one customs frontier in common with Austria and Bosnia-Herzegovina. Until the close of 1907, on the basis of a customs alliance renewed on each occasion for periods of ten years between Austria and Hungary, the territory encircled by the common customs frontier was regarded at the same time as a uniform and common customs territory ; but the treaty concluded between the two States in the autumn of 1907 for the regulation of the trade and traffic of the two countries recognised the legal status of the separate customs territories ; though, on the basis

¹ A metercentner = 220·46 lb.

of the said treaty and for the period during which the same shall be in force, a uniform, common customs frontier shall be regarded as surrounding the territories of the two States, and a guarantee was given that there should be no duties exacted on goods passing between the two countries.

Besides the statistics dealing with the foreign trade of the territories surrounded by a common customs frontier, during the last quarter of a century separate data have been collected with regard to the trade in goods to Hungary alone.

In 1906, the value of the foreign trade of the Hungarian kingdom, apart from precious metals and coin, exceeded 3,000,000,000 crowns (£125,000,000), and showed an increase of 73·0% during 25 years. The imports rose from 875,100,000 to 1,555,600,000; the exports from 892,900,000 to 1,508,800,000 crowns. Consequently the increase of imports (77·7%) was considerably greater than that of exports (69·0%). Of the 25 years, in 14 the exports exceeded the imports; and in the balance of trade of the said 25 years, the exports show a surplus of 288,000,000 crowns. In 1906, the quantity of imports, apart from articles detailed by number (live stock, machines, clocks, watches, umbrellas, etc.), amounted to 50,760,000 metercentners; that of exports to 67,590,000 metercentners.

In the foreign trade of Hungary, the most important part is played by Austria, which, during

the past five years, has been responsible for 73·95–76·90% of the imports, and 69·70–72·22% of the exports. This result is due to the combination of many factors, *e.g.* the immediate vicinity of the two states, the free trade in force between the two countries, the uniformity of the currency, and the preponderance of industry in Austria and of agriculture in Hungary, etc. The most important factors in the foreign trade of Hungary are the following countries, whose share in the imports and exports are detailed as follows—

	Value of			Percentage of		
	imports	exports	aggregate trade	im-ports	ex-ports	aggre-gate trade
	in thousands of crowns					
1. Austria	1,195,140	1,072,912	2,268,052	76·83	71·11	74·01
2. Germany	108,799	146,210	255,009	6·99	9·69	8·32
3. Great Britain . .	27,854	34,674	62,528	1·79	2·30	2·04
4. Bosnia	26,252	34,874	61,126	1·60	2·31	2·00
5. British India . .	33,727	18,239	51,966	2·17	1·21	1·70
6. Italy	17,061	33,982	51,043	1·09	2·26	1·67
7. Roumania	15,682	30,136	45,818	1·01	2·00	1·49
8. France	16,495	27,669	44,164	1·06	1·81	1·44
9. United States of North America	27,403	6,520	33,923	1·76	0·43	1·11
10. Servia	23,193	8,119	31,312	1·49	0·54	1·02
11. Russia	6,937	15,979	22,916	0·45	1·06	0·75
12. Switzerland. . .	6,874	11,731	18,605	0·44	0·78	0·61

The fact that Germany occupies the second place in the list is similarly due to its proximity to Hungary. But the third place is taken by Great Britain, and the fifth by British (East) India. Full details of the trade of Hungary with Great

Britain and her colonies will be found in the following statement—

	Imports in 1906, in crowns	Exports
1. Great Britain	27,854,346	34,674,004
2. British Possessions in the Mediterranean	50,382	1,401,033
3. British Possessions in Arabia	10,450	287,148
4. British India	33,726,665	18,239,180
5. British Possessions in Africa	176,198	183,530
6. British North America	81,770	27,010
7. British West Indies	202,966	1,600
8. Australia	90,783	242,200
Totals	62,193,560	55,055,705

We may here include Egypt too, which is under British Protectorate, the value of the imports from which was 2,962,339, and of the exports to that country 3,522,086 crowns. If we include these sums, the aggregate trade of Hungary with Great Britain and British Possessions represented a value of 123,730,000 crowns (somewhat more than £5,100,000). In reality the value was greater still, as many British goods come to Hungary through Austrian mediums: and part of the Hungarian exports to Great Britain become absorbed in the trade with other countries. It is desirable that this trade, which has hitherto been fairly considerable, should in the future increase, to the advantage both of Great Britain and Hungary.

The agricultural character of Hungary is thrown into considerable relief by her foreign trade. While raw materials constituted only 20·1% of the

imports, they formed 52·9% of the aggregate value of the exports ; on the other hand, manufactured articles represented 66·5% of the imports, and only 34·8% of the exports. The difference is a much smaller one in the case of half-manufactured articles, which constituted 13·5% of the imports and 12·3% of the exports. The goods were distributed as follows according to the objects for which they were employed—

	Imports		Exports	
	in thousands of crowns	% of whole	in thousands of crowns	% of whole
1. Articles of food and drink	188,344	12·11	671,142	44·48
2. Live stock	21,287	1·37	226,105	14·99
3. Auxiliary articles for agri- culture and industry . .	70,329	4·52	107,127	7·10
4. Industry :				
(a) Raw materials . .	115,963	7·47	111,980	7·41
(b) Half-manufactured articles	208,809	13·41	176,607	11·72
(c) Manufactured articles	950,885	61·12	215,852	14·30
Total industry	1,275,657	82·00	504,439	33·43
Aggregate (all branches)	1,555,617	100·00	1,508,813	100·00

These data still better illustrate the character of the trade of Hungary in goods. The important industry of the country engaged in export consists for the most part of the manufacture of articles of food and drink (flour, sugar, spirits, etc.). Other manufactured articles exported constitute only 14·30% of the value of the whole exports; whereas, as we have just seen, nearly 35% of the exports of Hungary consist of industrial products.

We have no space to enumerate the several articles in detail, but as a general characteristic we must throw into prominence those articles which have a decisive influence on the formation of Hungarian foreign trade. The imports of the country, as the following statistics show, owe their significance to the large import of products of textile industry—

	Half-manufactured articles in crowns	Fully-manufactured articles	Total
1. Cotton industry . .	25,257,000	229,016,000	254,273,000
2. Flax, hemp, and jute industries . . .	4,634,000	34,729,000	39,363,000
3. Wool industry . . .	3,632,000	130,979,000	134,611,000
4. Silk industry . . .	630,000	44,471,000	45,101,000
Totals	34,153,000	436,195,000	473,348,000

The products of textile industry alone constituted 30·4% of the whole imports of the country. Among the former, those of cotton industry are particularly prominent. The value of the ready-made articles of dress imported in 1906 amounted to 93,560,000, that of the leather goods to 88,900,000, that of iron and ironmongery to 86,710,000, and that of the machinery and electrotechnical goods to 72,170,000 crowns.

Among the exports of Hungary flour, corn, animals and animal products play the chief part. In 1906, 27,860,000 metercentners of corn and flour were exported, representing a value of 499,900,000 crowns; of this amount more than

200,000,000 crowns fell to the products of the mill industry. In the same year, the export of live stock from Hungary amounted to 248,350,000, and that of raw animal products to 101,020,000 crowns; that of wood and coal represented a value of 89,250,000, that of beverages 45,060,000, that of fruit and plants 40,120,000, that of sugar 35,330,000, that of fatty substances (lard, etc.) 31,970,000, and that of food stuffs 30,020,000 crowns.

A great proportion of the articles of export enumerated are either raw products or the products of branches of industry closely allied to agriculture. There is, however, a considerable export trade from Hungary in the products of other branches of industry; *e.g.* leather and leather goods were exported to the value of 32,720,000; iron and iron-ware to the value of 37,020,000; machinery, electro-technical articles and vehicles (wagons, cars) to the value of 40,260,000; textile wares to the value of 61,430,000; and explosives to the value of 22,630,000 crowns, etc., etc.

Closely connected with commerce is the monetary system and the system of credit. As for the former, it will suffice to remark that in Hungary, as in Austria, the crown unit based on a gold standard is in force. This crown unit stands in value between the franc and the mark and the shilling. One kilogram of mint gold (0.9 parts pure gold, 0.1 part copper) is equivalent to 2952, and

one kilogram of pure gold to 3280 crowns. (1 kilogram = 2·205 lb. avoirdupois ; 1 crown = 10d.)

Hungary was late in breaking loose from natural economy ; the trifling claims for credit were satisfied by private individuals, chapters, charity foundations, and masters in chancery (orphans' funds). The first savings bank was founded in 1840, the first bank in 1842 ; but there is no branch of economic life in Hungary which can point to so high a degree of development as the credit institutes, of which a thick network already covers the country. At the close of 1906, in the Hungarian kingdom, there were 569 banks and land mortgage institutes, 891 savings banks and 3353 people's banks (credit co-operations). The latter are particularly rapidly increasing : their number has advanced 189·5% during the last ten years. There is, besides, a State savings bank, the collecting organs of which are 4399 post offices ; and if we add that the banks, savings banks, and people's banks also engage in this branch (deposit of savings, with savings bank books), we may say that the organisation collecting the capital saved in the country is an ideal one.

Hungary has no separate national bank (bank of issue) : the work of regulating credit done by banks of issue is performed by the common Austro-Hungarian Bank. This institute has been active in its dualistic form for thirty years. Its coined money has a uniform standard ; and the uniform



Photo

Divald

POST OFFICE SAVINGS BANK, BUDAPEST.

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management of the bank is guaranteed for Hungary by the Governing Council and the Governor-in-Chief ; but for Hungary there is a special head institute at Budapest, with a separate managing body, just as there is at Vienna, for Austria. Besides the two head institutes, the bank has 78 branch institutes and 172 branch establishments, of which number 33 branch institutes and 96 branch establishments are situated in Hungary.

The paid-up capital of the credit institutes (banks), not including the Austro-Hungarian Bank and the Post Office Savings Bank, was 894,950,000 crowns according to the balance sheets drawn up on December 31, 1906; their reserve capital amounts to 432,340,000 crowns ; so that their aggregate capital was 1,327,290,000 crowns. The greater part of the outside capital held by them was in savings deposits. On the same date, the amount represented by the latter was 2,681,030,000 crowns ; while that of deposits on current and cheque accounts was 434,710,000. The value of debentures in circulation was 1,578,620,000, that of municipal (parish) bonds 795,240,000, that of advances and loans 344,570,000 crowns. Besides these sums, the liabilities of the banks included 604,070,000 crowns due to creditors, various liabilities 371,820,000 crowns, and the profits amounted to 125,550,000 crowns. The aggregate liabilities of the banks amounted to 8,262,890,000 crowns, a sum including and representing the extent

of their own capital and of outside capital managed by them.

The savings deposits, amounting to 2,681,030,000 crowns, were entered in 1,564,249 savings books (pass books), so that the average deposited on every book was 1715 crowns. This average is a larger one than that found in the much wealthier Western countries, a fact that proves that the savings banks are had recourse to not only by the tiny capitals of small people but by larger capitals that find no other field for outlay. In fact, the savings banks of Hungary may be regarded rather as deposit banks.

As far as the active branches of business are concerned, the first place is taken by loans on letters of hypothecation, which amounted to no less than 2,557,770,000 crowns. The other items in the assets of the balance sheets for 1906 were as follows: bills discounted, 1,827,720,000; municipal (parish) loans, 776,650,000; credit on accounts current, 630,480,000; stocks and shares, 612,620,000; debtors, 398,890,000; loans and bonds, 359,490,000; various claims, 345,550,000; loans on stocks and shares, 193,130,000; shares of funds and foundations, 173,920,000; inventory and real estate, 160,610,000; capital deposited with other banks, 130,610,000; ready money, 95,450,000 crowns.

If we compare the amount of the loans on letters of hypothecation with the value of the debentures in

circulation, we see that the former exceeds the latter by 979,150,000 crowns, *i.e.* nearly 1,000,000,000 crowns. And as the soundest form of loan on letter of hypothecation is an annuity loan of debentures, it is clear that there is still much to be done in this field. It is to be desired that the great majority of ready money loans taken for the most part from savings deposits, should be converted into loans on letters of hypothecation, while new loans should be given in the form of debentures.

In this respect there is a great opening for business connections between Great Britain and Hungary, which would be to the advantage of both countries. The excessively low rate of interest in vogue in Great Britain is already much felt by those who live on the interest of their capital : and investment in foreign countries is extremely risky, as capital in search of large profits often falls a victim to the swindling promoters of exotic enterprises. But the debentures of the big Hungarian banks, which yield a good return (generally 4%), in consequence of the measures taken by the excessively severe laws which protect the interests of creditors in the most perfect manner, offer an unconditional security almost without parallel among the stocks and shares in other parts of the world. British capitalists would therefore be acting in their own interests if they were to direct all possible attention to Hungarian debentures. But for Hungary too it would be an advantage : for she

would become the debtor of a country with which she has never been and never could be in conflict, either politically or economically.

In the above figures we have not included the data referring to either the Post Office Savings Bank or the Austro-Hungarian Bank. The Royal Hungarian Post Office Savings Bank, which was founded in 1886, has functions of two kinds. In the first place, it offers an opportunity of investment to the smallest capitals saved, thus saving them from being wasted away ; in the second, it carries out a significant part of the cheque and clearing business of the country. At the close of 1906, the deposits amounted to 78,640,000 crowns, of which sum we may truly say that it was collected by fillérs (the Hungarian farthing = $\frac{1}{10}d.$). The cheque business transacted by this bank during 1906 was one of 5,337,000,000 crowns ; the clearing business one of 1,947,000,000 crowns.

Of the Austro-Hungarian Bank, which, as its name shows, not only serves the system of credit of Hungary, but is the bank of issue of the Austro-Hungarian monarchy, we can only treat here in so far as to point out the share of Hungary in the working of the same. It is well known that this great institute, which has at its disposal enormous capital, is one of the best-managed banks of issue and is ready to pay in specie at any moment. The coin and bullion held by this bank on December 31, 1906, represented a value of 1,454,000,000 crowns ;

the average amount of coin and bullion held throughout the year was 1,471,000,000, and the average amount of notes in circulation 1,756,000,000 crowns. During 1906, the bank discounted bills, warrants and stocks to the value of 4,753,000,000 crowns ; while at the close of the year the portfolio showed a sum of 771,000,000 crowns, of which sum 459,000,000 crowns fell to Hungary and 312,000,000 to Austria. Much larger is the share of Austria in the loans on mortgages. The value of such loans at the close of the year was 99,000,000 crowns, of which sum 27,000,000 fell to Hungarian and 72,000,000 crowns to Austrian banks. We must make special mention of the clearing business of the bank. In this branch, in 1906, the receipts (naturally the expenditure represented practically the same sum) amounted to 28,119,000,000 crowns, of which 10,834,000,000 fell to Hungarian and 17,285,000,000 to Austrian banking institutes. The outstanding sums in this department, not including the remittances from place to place by post still due, amounted to 158,000,000 crowns. Of this sum 60,000,000 crowns fell to Hungarian banking institutes. Without taking into consideration the less important bank bills, we must mention in addition the loans given on letters of hypothecation, which, however, constitute a special branch of business quite separate from the issue department. At the close of 1906, the loans granted by the bank on letters of hypothecation

represented a value of 300,000,000 crowns, of which sum 240,000,000 crowns fell to Hungary. On the same date there were debentures in circulation issued on the loans granted on letters of hypothecation representing a face value of 294,000,000 crowns. The net profit of the bank (including the balance from the previous year) amounted to 21,000,000 crowns, exactly 10% interest on the paid-up capital (210,000,000 crowns).

While the system of investing their earnings in savings banks has completely caught the fancy of the people of Hungary, provision for the future in the form of life insurance is able to make only much slower progress. Looking at insurance in case of death or for endowment, we find that, at the close of 1906, the number of insured was 401,472, while the value of the sums insured amounted to 1,269,000,000 crowns. The insurances paid during that year amounted to 26,960,000 crowns. Endowments were insured in the case of 1318 persons only, the sum involved being scarcely more than 1,000,000 crowns. Against accidents, 35,518 persons were insured individually, the sums insured being, in case of death 420,000,000, and in case of permanent disability 593,000,000 crowns. During 1906, the insurance companies paid out 604,000 crowns on this head. 293,373 persons were insured corporatively against accidents; the sum insured was 355,900,000, and the payments made amounted to 588,000 crowns.



Photo

THE ROYAL EXCHANGE, BUDAPEST.

Devild

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Insurance against sickness and accident, except that of industrial employés, has also not met with general favour, though fire insurance is progressing favourably enough. In 1906, buildings and real estate of the value of 10,109,000,000 crowns were insured, premiums of the value of 34,740,000 were paid, and the companies refunded damage to the amount of 19,120,000 crowns. Much less popular than fire insurance is insurance against damage by hail. During 1906, the property insured was altogether of the value of 296,350,000 crowns, the premiums amounted to 7,110,000, and the sums paid for damage to 4,850,000 crowns.

7. MILITARY ORGANISATION AND STATE FINANCE

The granting of recruits and the voting of taxes are among the most cardinal constitutional rights of the Hungarian nation. Recruits cannot be enlisted nor taxes collected except on the basis of the Army Act and Budget, which must be voted every year by Parliament.

Ever since 1868, the principle of compulsory military service has been in force. The obligation to serve begins with the twenty-first and ends with the completion of the forty-second year of age; actual service as an active soldier lasts, however, only three years (in the "National Defence" Army of Hungary—the Honvéd—it is two years, whilst in

the case of supernumerary recruits it is only eight weeks). Men enlisted in the common army, as well as the supernumerary recruits, are, after the lapse of ten years, transferred to the "National Defence" Army, in the ranks of which they remain two years; while between the ages of 32 and 42 they are kept on the rolls as members of the "posse comitatus." Those enlisted direct in the "National Defence" Army are transferred to the "posse comitatus" on the completion of their thirty-second year. Obligation of service in the "posse comitatus" begins with the nineteenth year, and extends to those too who are not indeed fitted for ordinary military service, but may be used for garrison work, nursing, etc. On the other hand, in time of peace the members of the "posse comitatus" are not bound to do any actual service.

The army is a common one with Austria, and is under uniform control. But there are special Hungarian regiments; and Hungarian subjects cannot be enlisted in Austrian regiments. The Hungarian "National Defence" Army is an independent Hungarian national institution, and is in no connection with the common Army or with the Austrian "Landwehr."

The contingent of recruits is settled every ten years, in proportion to the population as determined by the census. At present the aggregate contingent of recruits for the army and navy amounts to 103,100, to which number the Hun-

garian kingdom contributes 44,076, and Austria 59,024. Besides this, the annual supply of recruits to the Hungarian "National Defence" Army consists of 12,500, that of recruits to the Austrian "Landwehr" of 14,500 men.

The training of the rank and file is carried out in the barracks and parade grounds ; the officers are trained in special military schools. In 1906, the number of military academies and cadet schools in Hungary was eight, that of those in Austria 15 ; the number of pupils in the former was 1221, in the latter 3004. Besides, there were two military modern schools (Realschule) in the Hungarian kingdom with 411 pupils ; and four in Austria with 878 pupils. The Royal Hungarian "National Defence" Army has special training colleges of its own—the Ludovica Academy with 300 pupils, one modern school with 131, and two cadet schools with 696 pupils.

The common army, in time of peace, consists of 318,000 officers and men ; and there are 61,000 Treasury horses at its disposal. The Hungarian "National Defence Army," in time of peace, comprises about 35,000 ; and the Austrian "Landwehr" about 40,000 officers and men. Besides these, the navy includes more than 12,000 effective officers and seamen. The aggregate strength of the military and naval forces of the monarchy may be computed at about 2,330,000 in time of war ; of this number 900,000 fall to the common

army, 330,000 to the Hungarian National Defence Army and the Austrian "Landwehr," 500,000 to the "posse comitatus," and 600,000 are supernumerary recruits. The number of horses amounts to 300,000, that of guns to 1912.

As a conclusion to our brief sketch, we must cast a cursory glance at the State finance of Hungary, the independent development of which dates in reality from the restitution of constitutionalism in 1867. During the forty years that have passed since then, the finances of Hungary have made enormous progress. Whereas in 1868 the ordinary expenditure amounted to only 295,080,000 crowns, by 1906 it had risen to 1,112,200,000 crowns. This tremendous increase strikes us as almost unnatural, but it has its natural explanation. Modern Hungary, having regained its independence of action, had in the course of a few short decades to make up for the shortcomings of centuries; but this was a task beyond the powers of society and private enterprise; consequently it was left to the State to display a redoubled activity in the field of economics, in addition to its other functions. As a natural result, there are items of expenditure in the Budget which are not properly State expenses at all, but have the character of working expenses; and there are naturally receipts on the other side of the balance sheet too which bear the character of business receipts.

After 1867 the expenses connected with an up-to-date equipment, and the economic problems set before it, laid on the State burdens which it was unable to meet out of its own resources. In order to make the necessary investments, it was obliged to have recourse to its credit. Indeed, even in the ordinary course of things, the State had continually to cope with a deficit ; and it was only after great efforts that, in 1889, the financial balance of the State was restored. The great and sound development of the economic life of Hungary is proved by the fact that the needs of the State, which are so enormously on the increase, can be met without any breakdown in the ability of the country to bear financial burdens and without the financial balance of the State being upset.

As we have already stated, the aggregate ordinary expenditure amounted in 1906 to 1,112,200,000 crowns. During the same year transitional expenditure amounted to 32,500,000, investments to 60,500,000, extraordinary contributions to common exchequer 40,300,000 crowns, so that the aggregate expenditure amounted to 1,245,500,000 crowns. Of this sum the largest item consists of expenses of a business character ; if to the expenditure of the State railways, factories, estates, etc., we add those of the salt and tobacco *régie* and of the postal and telegraph service, which are also of a business character, the aggregate expenditure

under this head alone amounts to 421,900,000 crowns. In the second place stands the sum paid for interest on and reduction of the national debt (290,400,000 crowns) ; in the third place the sum appropriated for common expenses (army, foreign office, common ministry of finance : this sum was 101,700,000 crowns). The other items of expenditure were as follow : home office, 67,600,000 ; finance ministry, 67,300,000 ; public education, 54,300,000 ; ministry of justice, 41,700,000 ; department of commerce, 39,600,000 ; ministry of national defence, 38,400,000 ; ministry of agriculture, 29,800,000 ; pensions, 26,100,000 ; internal administration of Croatia and Slavonia, 22,300,000 ; civil list, 11,500,000 ; miscellaneous expenses, 32,900,000 crowns. Naturally enough, these figures do not show the actual distribution of the expenditure among the several departments, for the department of commerce alone expends 273,800,000 crowns, as all the business expenses belong to its sphere of control.

The aggregate receipts of the State in 1906 amounted to 1,357,200,000 crowns. If we collect the items of contribution to the revenue into main groups, here, too, the business receipts of the State take the first place, amounting as they did to 641,100,000 crowns, including the takings of the salt and tobacco régies and of the postal and telegraph services. The revenues of the régies can, however, with less justice be regarded as business

receipts ; for they partake of the nature of excise duties to the extent by which they exceed the sum spent on the said régies. In 1906 these revenues amounted to 171,900,000 crowns ; and as the sum expended on them amounted to 65,600,000 crowns, the sum of about 105,000,000 crowns may be taken as excise duties paid by the public on the articles produced by these régies.

In 1906, direct taxes produced 311,100,000, excise duties 205,600,000, legal charges and dues 83,500,000, stamp duties 39,100,000, and miscellaneous receipts 76,700,000 crowns. Interest on advances, etc. produced only 14,000 crowns. Of the direct taxes the largest sum is contributed by the land taxes (83,100,000 crowns) ; of the excise duties, by the duty on spirits (81,900,000 crowns).

We have made no mention of the customs duties. These are common receipts, and, after the deduction of the working expenses of the customs houses, are devoted to the common exchequer of Hungary and Austria. In 1906 a sum of 154,620,000 crowns was devoted to the common exchequer out of the receipts of the customs. The contributions of Hungary and Austria to the surplus required are paid in the proportions fixed every ten years. Till the close of 1907 the contribution of Hungary was 34·4% ; from the opening of this year it has been 36·4% of the whole.

At the close of 1906 the national debt of the Hungarian kingdom amounted to 4,753,400,000

crowns, of which sum 3,485,800,000 crowns were funded debt, 1,267,600,000 crowns unfunded debt. The latter decreases from year to year. We have not, however, included in these figures that part of the debt incurred by the old absolute Austrian Government, towards the reduction of which Hungary pays 2,300,000 crowns annually, and in interest on the same 58,300,000 crowns. The capital sum represented by this debt amounts to 1,349,000,000 crowns. Of the Hungarian national debt, approximately 39·55% is placed at home ; of the 60·45% held by foreign countries 30·46% falls to Germany, 20·86% to Austria, 7·38% to France, 1·48% to Great Britain, and 0·27% to Holland. As these figures show, Great Britain has invested but a small sum in Hungarian State bonds; though it would be an advantage, both economically and politically, if surplus British capital were to be invested in these bonds, which yield a good interest. The majority of the same pay 4%, but there are some which pay $4\frac{1}{2}$ %, and others which pay $3\frac{1}{2}$ % and 3%, though the latter are not very numerous.

The balance sheet for 1906 shows the wealth of the State to be 7,360,900,000 crowns, of which sum 4,121,900,000 crowns represent real estate. More than half of the latter consists of the property of the State railways. If we take not only the above-stated national debt, but the total sum represented by the whole debt owing by the nation, we

find that the aggregate liabilities of the State amount to 5,554,700,000 crowns ; so that the net wealth of the State is 1,953,800,000 crowns. In 1868 the aggregate active wealth of the State was calculated at only 495,000,000 crowns ; so that, despite the fact that, owing to the great financial depression of the 'seventies and 'eighties of last century, very many State landed estates had to be sold, the increase in the active wealth of the State during four decades may be put at about 1,500,000,000 crowns ; although we cannot take an inventorial estimate of State wealth as absolutely accurate, the former result proves better than anything else the sound basis on which the finances of the Hungarian State are built.

CHAPTER II

THE HISTORY OF THE HUNGARIAN CONSTITUTION

By COUNT ALBERT APPONYI, Minister for Religion and Public
Instruction

I. HISTORICAL INTRODUCTION

ON this land of 322,300 square kilometres, with a population of about twenty millions, now called Hungary, no race succeeded in creating a permanent political establishment during the five centuries which elapsed between the decadence of the Roman empire and the coming of the Hungarians. Yet by its geographic and its mountainous configuration this territory is an advanced post of the West.

It was necessary for Europe to maintain a garrison there under the penalty of having always an open door to the incursions of the barbarians ; and as this garrison could not be found in its own reserve forces, the East had to supply it.

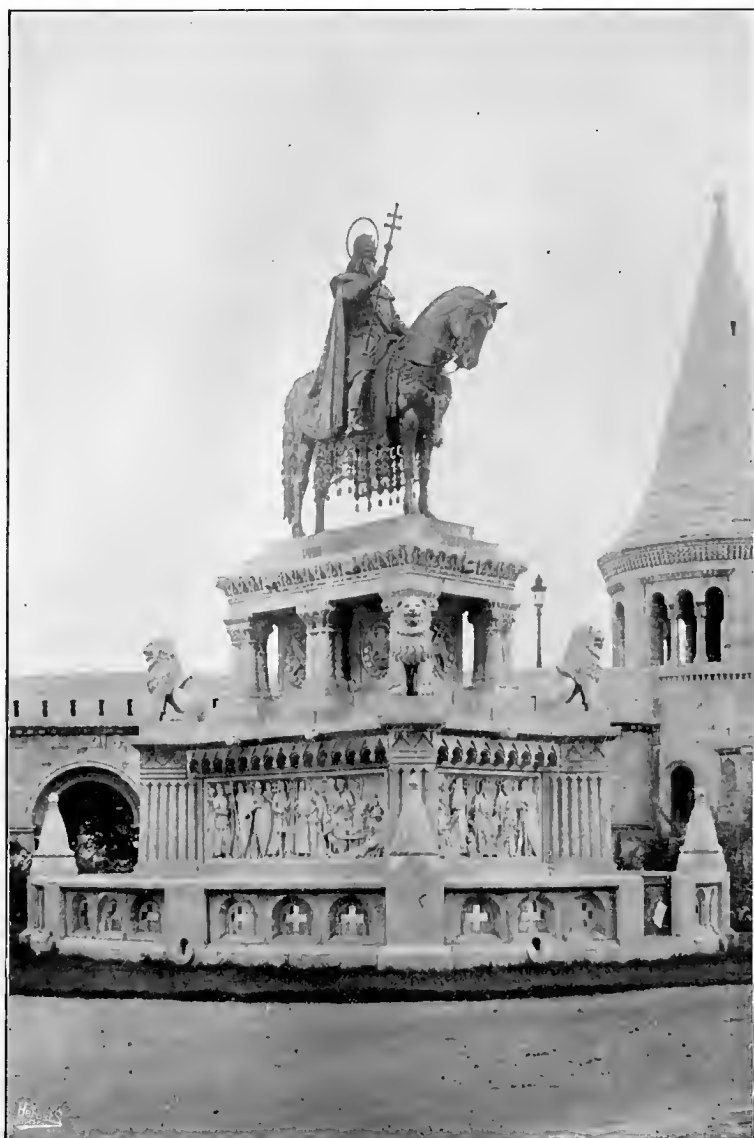
Towards the end of the ninth century a new Asiatic horde appeared on this so often disturbed land ; a tribe (in appearance like their predecessors) descended the southern slopes of the Carpathians

and in a few years achieved the conquest of the present territory of Hungary.

Not very agreeable neighbours during the first century of their establishment in Europe, these new-comers from the first gave evidence of an extraordinary political capacity. On the ruins of the small principalities they had destroyed, they founded—barbarians and pagans though they were—a state better organised and more solidly unified than most of those of the Middle Ages. This state possessed a vigorous and effective central power, a kind of national representation, with very broad local liberties. From the beginning the primordial elements of the Hungarian Constitution were found therein.

Árpád was the name of this great chief who conquered a new country for the Hungarians, and the central power was invested in his dynasty, with the reservation that the nation should have the right of election from among its members. This was, then, a system of mixed transmission, half hereditary, half elective.

Towards the year 1000, when the most illustrious of his descendants, St. Stephen, embraced Christianity, converted his people, and donned the royal crown sent him by Pope Sylvester—the same with which, to this day, every new King of Hungary is crowned—the Hungarian nation became for the civilised West the garrison of its most advanced eastern stronghold.



Photo

Dívald

STATUE OF ST. STEPHEN.

[To face p. 104.]

This nation always was, and still is, faithful to her mission as a watchful sentinel. In the thirteenth century the Tartar wave passed over her, but it broke, and went no further; for a century and half the Turkish wave lashed her ramparts; the heroic garrison, nearly always forsaken by those whose safety she guarded, remained steadfast throughout this period against the most formidable shock that had ever threatened the civilised world since the migration of the people. When the climax was reached, after the glorious defeat of Mohács in 1526, which destroyed temporarily the military power of Hungary, the Ottoman empire was at the beginning of its decline; for the occupation of a part of our territory had, so to say, absorbed its energy. If Hungary was lost, at least Europe was saved.

For lost Hungary certainly appeared to be. Internal discord followed the catastrophe to her arms. King Louis II dead on the battlefield of Mohács, the election of his successor divided the nation. One party, relying on the strength afforded by the national enthusiasm, chose a national king in the person of John Zápolya; another party called the Hapsburgs to the throne by electing Ferdinand, brother of Charles V, hoping that the immense resources of that dynasty would be employed to save us from the Turks. But neither of these expectations was realised. The national spirit was broken, and the forces of the nation

were wasted in the struggle of the rival parties. The power of the Hapsburgs—absorbed by religious discords in Germany and the wars with France—was for a long time of no avail to us.

The Turk occupied more than a third of our country, in the very heart of it, with Buda, the ancient capital of the kingdom. The national king soon succumbed and fell back on Transylvania, which he constituted an independent principality without breaking the moral bond which united it to the rest of Hungary. The Hapsburgs remaining sole and unchallenged in possession of the royal title to Hungary, reigned only over the western and northern portions thereof. However, this fragment of their new kingdom—the “Royal Hungary” of the period—seemed just sufficient to protect their German dominions. Thus they were content until the famous siege of Vienna in 1683 disillusioned them. Called to the throne of Hungary to deliver her from the Turks, and on the express condition of maintaining her liberties and independence, they did not make sufficient efforts against the hereditary enemy, but constantly engaged in enterprises against the Constitution of the country. Religious struggles came in to complicate matters, splitting up what little power of resistance remained, casting some into the arms of the Turks and paralysing the political consciences of others, before princes zealous for the supremacy of the ancient faith.

This lasted for one hundred and sixty years. What other nation could have withstood such heavy trials? Hungary, however, came forth victorious. Mutilated, exhausted, divided, Royal Hungary sustained against her own kings an almost constant struggle for her independence and Constitution—a struggle sometimes at law, sometimes by force of arms, when the princes of Transylvania—some of whom are counted among the most illustrious heroes of our history, and who all had in a diverse degree a consciousness of their national mission—supported her. In this interminable series of defeats and victories the final result was favourable to Hungary. The sacred trust of her ancient Constitution was preserved intact—no failure in that respect; it may be *de facto* suppressed, but never will any one be successful in severing the thread of its continuity *de jure*. When things have come to the worst, the unanimous protesting voice of the country has always prevented the prescription from running against us. Through the most terrible periods of history, in the *Corpus juris Hungarici* (a collection of the laws of Hungary, without interruption or break in their continuity, from St. Stephen down to our own times) were preserved the outlines of a juridical Hungary, outlines always traced with a steady hand, with whose design no accident can interfere. We await the propitious moment to take in the reality of the things in the frames of this legal truth; we

will wait years—centuries if necessary—but we will renounce it never.

In 1686 the hour of deliverance seemed to have arrived ; the armies of the Emperor-King Leopold I retook Buda and entirely drove out the Turks from Hungary. But this happy event coincided with the establishment of a *régime* of oppression so terrible that the country could not rejoice. After an attempt at reconciliation, the result of which was to assure to the male line of the Hapsburgs the hereditary possession of the Hungarian crown, armed conflict broke out. A ten-years' struggle was terminated by the Peace of Szatmár, which, on the one hand, confirmed the hereditary right of the dynasty, and on the other, the independence and liberties of Hungary. From this time constitutional conflicts became of rarer occurrence. The famous Pragmatic Sanction (accepted in Hungary by Laws I, II and III of the year 1723), which extends the right of succession to the female line of the Hapsburgs, establishes for the duration of that dynasty the principle of indivisibility for the whole of the countries under their sceptre, and at the same time gives new guarantees to our national independence and liberty. The anti-constitutional reign of Joseph II is followed, under Leopold II, by a new and solemn affirmation of the rights of the nation. An attempt at reaction, in the following reign, gives way in 1825 before the passive resistance of the country.

From this time until 1848 the Constitution works about normally. It is the Golden Age of our political history, the epoch of our great national renaissance. The institutions were incomplete and badly secured, but great men arose, in whose hands this defective machinery produced wonders: orators, statesmen, economists, philosophers, savants, poets and *littérateurs* joined hands in communicating to the national life a splendour and vigour it had never known since the days of Matthias Corvinus. This grand epoch ended with the reforms of 1848, which—creating Hungarian democracy—gave to our old Constitution the new strength of parliamentary forms. But these magnificent results were engulfed in a catastrophe of which I may not relate the details. Be it far from me the thought of lifting even a corner of the veil which our gracious sovereign and the nation have with one accord cast over the unhappy events of that time. Suffice it to recall the facts that once more the sovereign and the nation found themselves face to face with arms in their hands; that Hungary—at first victorious—ended by succumbing to the overwhelming forces of Russian intervention; that she was from that time treated as a conquered province, and submitted to a rule which was the very negation of her national and constitutional existence. It was perhaps the most terrible of all the trials that Providence afflicted us with. The country bore it bravely; and at the end of twelve

years the impossibility of maintaining such a *régime* was manifest. The power of the Hapsburgs being undermined by the discontent of their greatest kingdom, reconciliation with Hungary was a necessity. Faithful to its too constant traditions, the Court of Vienna wished at first to obtain the desired result by half measures. They adhered to that chimera of an united Austrian empire including Hungary, and within these limits they were willing to grant a somewhat extensive provincial autonomy. As a way out of a desperate *impasse* such proposals seemed alluring even to good patriots ; but the bulk of the nation, guided by Francis Deák, resisted this temptation to sell their ancient birthright—the independence of the kingdom and the continuity of constitutional law—for a mess of pottage.

The Diet, convoked in 1861, required the integral enforcement of the Constitution which the latest laws, those of 1848, had given to us. It declared that if this *restitutio in integrum* were refused us, the country would continue to suffer and to wait, but would never surrender a single just claim. According to the simple and sublime words of Francis Deák : “ What violence robs us of, the fortune of time and circumstances may restore ; but if we ourselves give up our rights, they will be for ever and irrevocably lost.” The whole history of a people is told in these few words.

The steadfast strength of the nation, and the



Photo

Strelisky

HIS MAJESTY FRANCIS JOSEPH, KING OF HUNGARY.

[To face p. 110.]

wisdom of the Emperor-King Francis Joseph, resulted in the famous Compromise of 1867, which definitely settled the too long struggles between the nation and a dynasty that opposing aspirations had often divided and that common interests had always brought together again. This Compromise recognised the independence of the kingdom of Hungary, reconstituted the integrity of her territory, and put her Constitution in force once more ; therefore it contained the express recognition of the immutable principles of our national politics. At the same time it laid down the obligation of "mutual defence," subsisting between Hungary and Austria in virtue of the Pragmatic Sanction, and the institutions and forms demanded by the advent of constitutional rule in Austria. It will be to the eternal glory of the present reign to have conceived and realised this grand idea.

The nation restored, rejoicing in the security of her independence and her ancient liberty, has, during the forty years that have elapsed since 1867, developed and progressed in an astonishing degree. The dynasty, on its part, has only had cause to congratulate itself on being bound up with our national dogmas. Hungary's independence, her unity and her Constitution have withstood the hurricanes of ten centuries. Secure on this rock, the House of Hapsburg may defy the severest trials ; to think otherwise is to be ignorant of the history of Hungary.

2. DEVELOPMENT OF THE CONSTITUTION

I have thought it my duty to depict clearly and boldly the landmarks of this history, because a close view is necessary in order to grasp the peculiar character of our constitutional institutions, and the important part they play in our national life. That Hungary should have been able to preserve this national life through perils and trials innumerable, that she should still exist as an independent and free kingdom in the van of progress, now better assured of her future than at any previous period of her history—all this is one of the most marvellous facts in the history of nations. The explanation of this phenomenon is in two lines : What Hungary *has* maintained, Hungary maintains, and *will* maintain—the political genius of her race and the Constitution which has been born of it.

The military qualities of the nation, the heroism her sons have at all times displayed on the battlefield, have certainly contributed to this result ; but many nations, not inferior to us in that respect, have disappeared from the page of history, while others, also not inferior to us, have lost their independence. Elsewhere we have seen Hungary in absolutely desperate military situations, overwhelmed in catastrophes that it seemed must annihilate her. If she has survived them, and risen again, it is through a political genius unequalled—I dare say it—on the

Continent of Europe, and through the greatest conception of that genius, her Constitution.

For it is really a creation of national genius, this Constitution, whose origin is lost in the twilight of legendary times, and whose principles have been in operation ever since the first moment when our ancestors appeared on the historic stage. It bears not the superscription of any Solon, a Lycurgus, or a Sièyes; it is embodied in no charter. The Golden Bull of King Andrew II (1222) (that twin-sister of the Magna Charta of England) is but the confirmation of ancient national liberties; and the celebrated compilation of the great juriconsult Verböczy in the sixteenth century, which contains the most complete system of private and public law of the period, is but a summary of old customs. If, to-day, we have numerous constitutional laws of all periods—some still in force though very ancient, others fallen into desuetude though comparatively recent—there is no legislative instrument which one may designate the “Hungarian Constitution,” and many constitutional questions can only be decided by custom and precedent.

It will therefore be necessary for me to dwell more on the genesis and history of my subject, on the constituent work of the national genius, even if I have to be very brief when drawing the picture of the institutions themselves. I shall only be able to present the reader with general ideas, making no

pretension to a complete course of constitutional history or of Hungarian public law. Too happy shall I be if I succeed in making plain the chief features, its vital principle and organic growth. That will suffice to do justice to a nation that is but small and, what is worse, badly known.

The elements of a free constitution are everywhere the same : a head of the State, national representation, local liberty. The political genius of a nation is manifested in the form it gives to each of those elements, and in the equilibrium it establishes and maintains between their activity. Let us then see the Hungarian nation at work, and examine cursorily what she has created concerning those fundamental institutions.

I. THE HEAD OF THE STATE—ROYALTY

Hungarian royalty in the Middle Ages was the most powerful in Europe ; at no period was it broken either by feudalism or by provincial federalism ; and this is essential. The royal power was limited by the rights of the nation as a whole, but it was never interrupted nor split up into petty local and vassal sovereignties. The great work of national unification, which for centuries occupied all the energies of French royalty, was not needed in Hungary—she was a unified and centralised kingdom from the moment of her appearance on the scene. Times

there certainly were when certain great ones of the kingdom succeeded to a degree of social influence and political power which temporarily paralysed the operation of royalty; but these were merely the accidents of history—anomalies recognised and dealt with as such, which caused many evils but never passed into the state of permanence. The customs of private law corresponded with this state of public law; landed property was transmitted in the line masculine—it was desired to insure its preservation in the family (whose remotest branches possessed hereditary rights and almost permanent claims)—that is, in the national element; but it never aimed at creating or preserving by heredity too powerful individual situations.

The capital importance of these facts is at once seen. While in the Middle Ages the idea of “nation” was weakened by the feudal splitting up of the sovereignty among all the other peoples of Europe, in Hungary this idea was preserved in all its vitality and all its force of concentration. To this were brought sentiments of fidelity and devotion elsewhere absorbed by the bonds of feudalism; this it was that inspired all institutions; by this, by the early energy of the national conscience this country maintained her independence amidst the overthrow of neighbouring empires ten times more mighty than she.

Royalty personifies national unity; thus it ought to be strong and efficacious. Surrounded by

ambitious neighbours, ever exposed to their schemes, the nation knows that she must have a real head, and she does not haggle with him over the amount of power necessary to the due accomplishment of his task. If he uses it well, his power seems sometimes unlimited ; if he does not know how to use it, the Assembly or the national representatives take it into their own hands ; if he abuses it, he runs the risk of ending his days in a convent or in exile. In any case the King of Hungary does not lack an extensive prerogative. He is sole military chief ; he disposes of the property of the Crown and of the State ; the executive power also is entirely his, and is exercised by his agents only. He wields the most extensive powers in ecclesiastical matters, powers similar to those the Concordat conferred on the chief of State in France—powers conferred also on St. Stephen by Pope Sylvester, and belonging to Hungarian royalty at the present day. The judicial power is invested in him alone, free men are amenable only to his judges, and even serfs may appeal to his high court : the idea of trial by jury—one of the pillars of English liberty—or of judgment by one's peers—an idea dear to feudal society in the Middle Ages—had no place among the guarantees of liberty considered by our ancestors.

What, then, becomes of this liberty before such an extensive royal power ? It does not suffer therefrom ; on the contrary, it derives therefrom

its greatest strength. No nation of the Middle Ages possessed such liberty, so well secured, and for the following reasons—

In the rest of mediæval Europe the powers we have just enumerated were divided between the great vassals and petty feudal lords. It was to the profit of these, certainly not to the advantage of the people, that royalty was shorn of its prerogatives. Now the substitution of a central power, half elective (as we have seen in the introduction to this article) and unique, for all these local and hereditary powers, is as favourable to liberty as to national unity. For the sentiment of personal liberty and personal dignity is developed and emphasised much better where there is but one sole master, whom all are bound equally to obey, and who is obliged to “reckon with opinion” if he wishes to secure the succession to his direct heirs, than where the great majority of the nation see over their heads a whole hierarchy of masters of varying degrees, whose top is so far away that their gaze cannot reach it.

We may add that the fragments of royal power which in other countries fell into the hands of the feudal lords were used almost without control, while the power of the kings of Hungary submitted, from its origin, to the control of the nation. The National Assembly (the meeting of all the nobles)—that heritage of pagan times, which our first kings wished to do without, in substituting for it a “royal

council" named by themselves—did not fall into desuetude until a real national representation took its place. From the eleventh century the kings were often compelled to apply to it in order to give the force of law to their own decrees ; and the Golden Bull of King Andrew II (1222) sanctions the usage of its annual convocation as "Great Days." These assemblies caused the nation to participate in all public powers ; above all it is their constitutional influence on the executive power that is put in relief by the right expressly defined in this same Bull of indicting the high officials ; the judicial power itself submits to the control of an almost menacing publicity, for it is on these annual "Great Days" that the king's high court judges the causes of public interest.

Let us now consider the early appearance of the principle of constitutional responsibility in our ancient institutions. From the first the king has been personally responsible for all, whether good or ill. From St. Stephen (1000) down to the Golden Bull (1222) three kings paid for personal power by the loss of their thrones ; the Golden Bull itself sanctions the royal responsibility by the famous clause : "quodsi vero nos," which was not abolished till 1687. The text is as follows : "If We or one of Our successors shall at any time whatsoever infringe Our present decree, the bishops, lords, and nobles may, collectively and individually, now and at any future time, by this Bull, gainsay and resist

either Us or Our successors without being guilty of treason."

Thus, then, was the right of insurrection proclaimed and codified 567 years before 1789 : codified, for the declaration of the "rights of man and citizen" does not say much to our nation ; to every good Hungarian a text of law is necessary to put his conscience right. But our ancestors knew quite well that the right of insurrection, though codified, is like a two-edged sword—good to be held in reserve for extreme cases, especially good to be kept in its sheath ; they knew this so well that they desired a serious and effective royal power. Therefore they deposited, as we have seen, in this same Golden Bull the first seeds of the juridical responsibility of the great officials, seeds which a series of laws will soon develop into a complete system of procedure against guilty officials. But what is still more astonishing is to see appear in the thirteenth century the principle of their political responsibility. A law of 1231 wishes that the Palatine (chief of the royal Government) may be dismissed on the advice of the National Assembly "if he rules badly the affairs of the king and of the country." Evidently there is no question here of guilty acts, but merely of faulty administration (faulty, of course, in the opinion of the Assembly), for no penalty is inflicted except dismissal, the loss of his portfolio ; the vote of want of confidence, with its parliamentary consequences, placed beside the indictment.

Little by little this principle was applied to all the great officials, and to crown the whole, a law of 1298 decrees that the king shall cause certain officials, chosen by the Assembly, to take part in all the acts of Government, and that every royal ordinance, without their participation (we might almost say, without ministerial signature) shall be null and void.

As early as the thirteenth century the work of national genius resulted in a constitution of the public powers, which contains the most part of the essentials of parliamentary rule, and the collective spirit of the nation is the author thereof ; for all these great reforms proceeded from legislative assemblies of which no illustrious name increased the splendour. The glory of it belongs also to the nation as a whole. Indeed, in what other country shall we find, in the Middle Ages, a development so complete of the idea of "government," and an attempt so conscientious and happy to combine the inviolability of the head of the State with the legal and political responsibility of the governors ? The disease of the times prevented these seeds from fructifying from that period with the fulness that such magnificent beginnings gave the hope, but the principle of responsibility no longer disappears from our public law ; in bad periods it weakens, to return in all its vigour when circumstances become favourable to the assertion of popular rights ; but it remains always living ; the

parliamentary system will be its organic and necessary manifestation.

Thanks to that early recognition of constitutional reforms, and to the spirit which presided over their developments, the royal prerogative, in all its essential elements, will be in our days such as it was in the beginnings of the Christian monarchy. Only the mode and conditions of its exercise have undergone modifications. Even in becoming hereditary, instead of elective as it had been, the Hungarian royalty will not change in character. The ceremony of the Coronation will supply in an almost complete manner the guarantee our ancestors thought they had found in the principle of election. A few words on this ceremony appear to be necessary—

The heir to the throne succeeds the late king *ipso jure* without the need of any new act of public law ; but it is his duty to get himself crowned within six months of his ascent to the throne, and he does not enter into full possession of the royal prerogatives except through his Coronation, being until then unable either to sanction laws or confer privileges—even simple titles. The machinery of the State is entirely stopped by this suspension of legislative power, for—to take only a single example—the annual vote of the impost and the recruiting are effected under form of law. It is therefore impossible for the heir to the throne to escape from his obligation to be crowned. Now this ceremony,

so essential to the exercise of royal power, is preceded by a veritable negotiation between the King and the Diet on the terms of a document called the "inaugural certificate," which must be published in the form of an edict at the beginning of each reign. This certificate is the new king's constitutional confession of faith; the independence of the country, the integrity of its territory, the rights of the people, the laws guaranteeing personal and political liberty, which date from the Golden Bull of King Andrew II, are confirmed in the most precise and solemn terms. The Diet then declares itself satisfied with the terms of the certificate; and it fixes—with the king's concurrence—the date of the Coronation. When that day arrives the crown of St. Stephen is placed on the head of its heir by the Archbishop of Strigonia, Primate of Hungary, and by the Palatine, or since the suspension of that office, by another representative of the Diet. Then on the new king's shoulders is placed St. Stephen's mantle, and finally he is girded with the sword. Adorned with these relics he proceeds from the church, and on the public square in front, surrounded by the representatives of the people, the masses thronging about him, he delivers the oath of the Constitution, which is but the "inaugural certificate" in a condensed form. The Coronation Oath has been in force since the year 1309. I will not waste words on the splendour of this ceremony; I merely insist on its

character as a Constitutional Guarantee. By the negotiations and public acts preceding it, by the symbolic act itself, requiring the participation of a representative of the nation with the minister of God, the Coronation of the kings of Hungary secures to Hungarian royalty its ancient character as a national delegation consecrated by religion. The nation *gives* the power, God *consecrates* it—only conditional delegation and benediction, however, for the same act that confers on the new king the plenitude of his prerogatives also prescribes its limits ; and the very God who is prayed to consecrate the royal prerogatives is at the same time called solemnly to witness that the limits of these prerogatives be strictly observed. Thus the Coronation of the kings of Hungary is not a vain show, but an act of public law, combining the *mystical*—essential to monarchy—with the *practical*—necessary to the Constitutional Guarantees.

Moreover, the Crown, or to use the terminology of our laws, “the Holy Hungarian Crown,” or more briefly put, “the Holy Crown,” is not only the symbol of royalty but also of the Hungarian State, of the whole Hungarian nation, of her Constitution, and of her territory ; it is even more than a symbol—it is the seat of sovereignty. The expression, “the Countries of the Holy Hungarian Crown,” was used to signify Hungary proper with the kingdoms of Croatia and Slavonia, called “*regna socia*” (associated kingdoms). All nobles,

i.e. the whole legal nation, were called “*membra Sacræ Coronæ*” (members of the Holy Crown); and to-day, when the ancient privileges of the nobility are enjoyed by all the people, this designation is applied to all Hungarian citizens without distinction. For the humblest of them, his king’s prerogative is not a strange power, menacing, odious; it is, on the contrary, the principal organ, the head of a social body, to which he himself belongs, and participates, within the modest sphere of his station, in the inviolability of the royal majesty. In his eyes this is the highest and most effective guarantee of his personal and political liberty. Everywhere else these guarantees stand out, more or less prominent and strong, against the royal power, but Hungarian royalty contains them; and that is the *chef-d’œuvre* of national genius—for it is indeed a constitutional *chef-d’œuvre*—the creation of a most real, effective and powerful royalty, but so intimately bound up with popular liberties that it cannot interfere with them without injuring itself, without undermining its own foundation. The judicial parable of the head and members is a living truth: it expresses the organic law of our constitutional development—a law which defies *coups d’état* and revolutions—a law which relegates to its own place, in a quasi-automatic manner, every public power that would secede from it—a law which triumphs over transitory accidents of violence and the permanent reckonings of artificial



Photo

STATUE OF PAUL VÁSÁRHELYI AT SZEGED.

Erdélyi

[To face p. 124.]

politics—a law engraved on the national conscience, where it produces a loyalty resisting all tests, surviving all ruptures, surrounding with an almost religious veneration the material crown itself, and the sovereign on whose head it rests ; yet very proud, notwithstanding, and quite free from servility. For this loyalty comprehends two sentiments in one, transmitted from father to son through generations past, present and to come, viz. that no liberty is so strong and so precious as the ancient Hungarian liberty, and that no earthly crown shines with a splendour superior to that of the crown of St. Stephen.

II. NATIONAL REPRESENTATION

After this summary sketch of the royal power I shall endeavour more briefly to trace the development of our parliamentary institutions. Here our ancestors have not carved each detail with the same minute care they used with regard to the royal prerogative ; and the reason for it is very plain. The principle of power is in the nation—this is the ancient faith of our people—she entrusts the king with that portion necessary to enable him to fulfil his constitutional functions : the portion thus relinquished needs to be distinctly defined in both its jurisdiction and limitations ; but there is no such need as regards that portion of power she retains in her own hands. Why should she

surround herself with guarantees against herself? Why should she create for herself restrictions and rules? It was only by degrees that the forms of national representation took on a certain fixity and that some of its rights were affirmed by special declarations. In its origin national representation signified the assembly of all free and armed men; its competence was all that it desired to introduce. By degrees practical necessity led to these rudimentary assemblies being substituted by a real representation, and the encroachments of the royal power rendered it necessary to seek for guarantees in the definition of national rights rather than in a vague and general presumption in their favour. But, faithful to the fundamental principle of national policy, she did not abolish the old guarantee in creating the new one.

The first representative assembly of Hungary goes back to the year 1061, when King Béla I, according to the old chroniclers, convoked "two delegates from each village" (which is, I believe, the earliest example of national representation in the Middle Ages); but up to 1525 an assembly of all the nobles, a host of from fifteen to twenty thousand men, met as a Diet and worked with an order and results that were surprising. At ordinary times, and for the normal functions of the Diet, representatives were convoked; but when there was likely to be danger to the national liberty or independence, the old assemblies appeared again on

the scene, personifying the national rights as well as the force that did not permit them to be violated. Moreover, no law fixed either the mode of representation or the nature of the relations between the elements composing it ; these varied from one reign to another, within the natural limits established by the structure of the social edifice and by the military and administrative organisation of the country. There were the higher and lower clergy, the higher and lower nobility, the representatives of the royal free cities (*i. e.* dependent on the king alone). The nobility, that is to say, all free and armed men and their descendants, unless the line were broken by forfeiture, knew not (originally) any distinction of rank. Verböczy, at the commencement of the sixteenth century, summarised the correct theory of our ancient public law in laying it down that all the prelates, high barons and nobles should enjoy the same noble prerogative. When our ancient laws speak of "barons," it is the great dignitaries of the kingdom that are thus signified ; but the great disproportion of wealth, power and social influence was fatal in generating in the ranks of the nobility a powerful oligarchy, having no public, private or hereditary status, fluctuating according to the vicissitudes of the fortune that created it—a simple social factor, however, that could not fail to weigh in the balance of public power. By degrees it became the custom to

convoke these powerful lords in person, while the lower nobility was represented in the Diets by the deputies of *comitats*, or counties, military and administrative organisations created by St. Stephen, and, since the thirteenth century, forming the outline of *Self-government*.

The reign of the Anjous, which lasted for the greater part of the fourteenth century, and which saw certain changes, in the feudal sense, in the military organisation and in the private law of Hungary (the unity and concentration of public powers remaining always intact), demonstrated the exceptional situation of the higher nobility and the great lords ; these became more and more a distinct element, and were recognised as such by the national representatives, without, however, becoming a hereditary aristocracy. Any one at the head of a military contingent of a certain strength belonged to the higher nobility, and this therefore depended on the extent of the landed property, which the succession laws tended to preserve in the family, though without insuring its integral transmission to a particular heir. Thus the higher nobility retained its personal and variable character until the Hapsburgs created it a hereditary aristocracy by conferring on its members the titles of princes, counts and barons of the German empire.

The national representation consisted of one assembly until the sixteenth century ; it was dominated sometimes by the higher, sometimes by

the lower nobility. The higher nobility had their golden days, when they showed an exalted sentiment in the permanent interests of the nation, but they oftener played the *rôle* of an egotistic oligarchy, in opposition to which were the lower nobility, representing national unity and the traditions of liberty and legal order. They were, moreover, the natural ally of constitutional royalty, and by this as well as by their numerical superiority (we must not forget that recourse to the assembly of all the nobles was always open) they nearly always prevailed in the end.

The deputies of the free cities made their first appearance at the beginning of the fifteenth century. These cities having been for the most part founded and inhabited by foreign colonists, their representatives for a long time retained the character of a heterogeneous element with but little influence. Let us here observe a radical difference between the development of parliamentary institutions in Hungary and in England. In the latter country it was the *Lords* who first got hold of a portion of power, and the *Commons* only very slowly came to count for anything. For a long time these latter played a very subordinate part, in fact they were almost nonentities. In Hungary, on the contrary, by virtue of the principle of equality among all the nobles, and by the fact of their reunion in one assembly, the element equivalent to the Commons, the lower nobility, was in the full enjoyment of all

parliamentary rights from the very beginning ; as a matter of fact they were usually predominant, and it was not until much later that the prelates and higher nobility were detached and became a distinct order.

It was in the sixteenth century that the prelates and the higher nobility began to sit separately, and a law of 1608 settled, in a manner which remained in force till 1848, the composition of the two Chambers that formerly had composed the Diet. They were called in Latin, "*status et ordines*" (estates and orders) ; in Hungarian, "*karok és rendek*" (arms¹ and orders), the whole of the elements sitting in the Diet. The first Chamber was called "Table of Magnates" or "House of Magnates" (*Főrendiház*), a name it has preserved down to the present day. The second Chamber was called "Table of Nuncios" (*Követek táblája*) ; to-day it is known as the "House of Representatives" (*Képviselőház*).

The "Table of Magnates," under the presidency of the Palatine, comprises the great dignitaries of the kingdom, the Catholic episcopate (also since 1792 that of the Orthodox Greek Church), the "supreme counts" (*főispán*) of the counties, and lastly, all the adult sons of the titled families : princes, marquises, counts and barons. This aristocratic element forms the real body of the Assembly. The enormous difference between its

¹ In the sense of limbs or branches.

constitution and that of the English aristocracy, where the head of the family alone has a seat in the House of Lords, may be easily seen. This difference derives its origin from private law. Our ancient law did not recognise inalienation of title, an institution brought in later (1861); it put on the level of equality all members of the same family.

The "Table of Nuncios" comprises : (1) the members of the royal tribunal of appeal, which sits for the purpose of giving advice on questions of law ; their president is at the same time president of the Assembly ; (2) the representatives of the *comitats*—two for each, whatever may be its population ; they are elected by the assembly of nobles of the *comitat*, and they are furnished with instructions to which they are obliged to conform under penalty of being unseated ; (3) the envoys of the free cities ; (4) the delegates of the chapters and of the magnates prevented from appearing in person in the Upper House. The custom fixing the rule of the Assembly is that the envoys of the *comitats* and of the cities have the sole right to vote, the other elements of the "Table" having but a consultative voice ; yet the envoys of the *comitats* will hardly admit those of the cities to equal rights with themselves : they allow them as a body a single voice, with which they must make themselves heard as best they can. Thus the whole parliamentary edifice rests on the envoys of the *comitats*, who—to the number of about 120

—have the habit of gathering together in “district meetings” (*Kerületi gyűlések*), where everything is decided, the general sitting of the “Table of Nuncios” being often a mere formality. From time immemorial these sittings have been public, but there are no official reports in existence prior to 1790, though the notes and correspondence of the members furnish history with ample material.

It was these Diets, whose composition was so fantastic and unsymmetrical, that bore the brunt of the battle and gloriously conquered in the prolonged struggle for national independence, for the Constitution, and for religious and political liberty; these it was that achieved by pacific measures those reforms which elsewhere were purchased at the price of terrible sanguinary revolutions; and it is the “Table of Nuncios,” the lower nobility of the *comitats*, in which the patriotic and progressive spirit is incarnated.

All honour to the great men the aristocracy has given to us at all times! but as a class it is the lower nobility who have preserved our independence and our ancient liberty. It will consequently be necessary to obtain a nearer view of this very important class and its political organisation in the *comitats*.

But before entering upon this part of our subject let us cast a cursory glance at the competence of the Diets. We have seen that this is universal in

principle. Soon, however, besides numerous less important powers, participation in the legislative power, the control of the executive, and the vote of the impost and recruiting, became the chief functions of the national representation, without mentioning the right of election of the king, which lasted until 1687, and which the preliminaries of the Coronation have since that period replaced, as we have seen when referring to the royal power.

The participation of Parliament, especially of the House of Commons, in legislative power, was not fully recognised in England until the latter half of the fourteenth century, in the reign of Richard II, while with us, on the contrary, it appears to have been in vogue from the very beginning of the Christian monarchy. The laws of St. Ladislas and of his successor, Coloman (second half of the eleventh century), both types of strong and powerful monarchs, contain preambles declaring that those laws were made with the assent of the prelates, the lords, and “all the people”—understanding by that, free men and bearers of arms, *i. e.* the nobility. In every case the parliamentary legislative apparatus has worked with a competence unchallenged since the latter half of the thirteenth century.

We have now traced the chief features of the right of parliamentary control over the executive, and of its development up to the Golden Bull (1222). Let us add that under the Hapsburgs this control was manifested above all by permanent

protest against the meddling of the "foreign counsellors of His Majesty" in Hungarian affairs, and by the curious institution of the "grievances" (*gravamina*). Each Diet, when meeting, was occupied at first with innumerable subjects of complaint accumulated since the previous session, on which it pronounced awards before proceeding to deliberate on matters of highest importance to the court : the impost and recruiting—the king's commissioners naturally insisting on the reverse order of procedure. It is clear that these difficulties hindered the regular progress of legislative work, but they served to defend the independence and constitution of the country at a time when this national defence was of paramount necessity and the most imperious of duties.

In England the vote of the impost is the oldest of constitutional guarantees, confirmed and defined by Magna Charta ; with us it did not come into existence until later. In the same measure that we have taken precedence of England in the matter of the conquest of popular legislative power, so are we behind her in this respect. The reason for this is seen in the weak place the impost held for a long time in the financial affairs of our country beside the revenues of the great royal domains, and the regal rights. As its importance in the Budget became more marked, the right of voting it was confirmed ; and it was fully developed in the fifteenth century.

When later, under the Hapsburgs, the regular army became the foundation of the military system, the Diets took possession of the right of consent to the recruiting of that army. Thus these two principles were merged into one; the vote of the impost and the recruiting became the most effective constitutional weapon. Nowhere was this weapon so sharp, nowhere was this principle so absolute, as with us. A law of 1504 declared guilty of treason and pronounced forfeiture against every assembly (general council) of a *comitat* that should dare to proceed to recover an impost not agreed to by the Diet; even any one who might pay it was culpable; and to our own times the obligation of the *comitats* to execute, after remonstrance, every ministerial order, even if in their opinion illegal, does not apply to those who would have to do with the recovery of an impost not agreed to, or to the levying of recruits not voted by the Diet. In such cases resistance is a constitutional duty inscribed in the law, and the order of the superior hierarchy does not release the subordinate official from his responsibility.

Let us observe, by the way, that the right to fix the budget appears without importance in the primitive state of our finances, and was exercised only in a very summary fashion prior to the great reform of 1848. We will now return to the subject we proposed—that of sketching the political character of the most important element of the

Diet, viz. the lower nobility and its organisation in the *comitats*.

By reason of the small number of the town population, and of the low place it held in the public life of past times, the lower nobility—whose status I have compared to that of the Commons in England—might equally be considered the third estate, in the French sense of the term, of ancient Hungary. Owing to its numerical importance, its easy access, and the principle of relative equality it represented, it deserved the paradoxical title of “noble democracy” that our historians have given it.

Nothing was less exclusive, indeed, than the Hungarian nobility. Often whole districts were ennobled by a stroke of the pen on account of some famous exploit, or perhaps simply by way of encouragement. Thus we find at the time of the French Revolution 75,000 families (about 325,000 persons) noble in Hungary out of a population of 6 millions, while France counted only 28,000 out of a population of 26 millions. In 1805 there were 340,000 nobles out of 7 millions and a half ; in 1829, 435,000 out of 9 millions ; in 1848, 675,000 out of 11,900,000 inhabitants. Add to these figures the clergy, numbering 16,000 in 1805, and the crowd of other *honoratiors*,¹ and we have an

¹ Members of the liberal professions to whom custom gave political rights.

electorate whose relative number far exceeds that of the *censitised*¹ electors in France under the July monarchy.

Let us remark, in passing, that this numerous nobility, accessible to all without distinction of race, counted in its ranks thousands of families of the Slavonian, German and Roumanian races (among the last-named being the Hunyadys, who gave to Hungary the great leader John Hunyady and the great king Matthias Corvinus); owing to this fact it constituted the most effective organic principle of national unity in the juridical and political sense of the word. This was not the least of their merits, nor the least valuable part of the heritage they handed on to Hungarian democracy. Thus it may be seen that if the ancient Hungarian *régime* was, like all ancient *régimes*, one of privilege, it had notwithstanding a very broad—almost popular—basis. It is true that the reign of privilege lasted longer in Hungary than in most other civilised countries, but if that is a reproach to the Hungarian nobility (and I am not going to deny it), there were at least extenuating circumstances, and a glorious fact which, in strict justice, should be taken duly into consideration. The extenuating circumstances are these: The democratic idea, *i.e.* the abolition of privileges, was presented to the whole of Eastern Europe at first

¹ From *le cens*, the quota of taxes the payment of which constituted an elector.

under the patronage of “enlightened absolutism,” of which the son of Maria Theresa, Joseph II, was to our mind the most complete personification. Now this “enlightened absolutism” being anti-national in Hungary, any advantage accruing from it was odious ; for national independence and constitutional liberty took the lead of everything : to defend these supreme privileges, to resist the power that menaced them, was the higher duty. The most enlightened men, the most affected by the breath of the approaching revolution, united themselves (though not without a sigh for the dire necessity that compelled it) to the reactionaries, in order to assist in the repulse of every reform presented under such auspices. It was unfortunately impossible to make distinctions, and so all must be rejected to preserve the unity of national resistance.

In the first half of the nineteenth century we find the situation reversed : the Court of Vienna, more deeply impressed with a sense of its own true interests, respected the forms of the ancient Constitution, and then sought to check the spread of the national idea by opposing to it the force of attachment to privilege. In this it lent to the enemies of progress—whose compliance it thus bought—all the support of the power and prestige of the Crown. To this must be added the apathy of the masses, who were perfectly resigned to the parlous condition of things ; there was not among

them energy enough to move the leaf of a tree or turn a blade of grass.

Where is there a privileged class which, in such a condition, would relinquish its privileges? Now for the glorious deed by which the Hungarian nobility redeemed the apathy which the above-mentioned circumstances may not be sufficient to excuse. By themselves alone they accomplished democratic reform. They renounced all their privileges, without the least pressure from the masses; they proclaimed the equality of public burdens, of personal and political rights, without being in the slightest compelled to do so; they struck a formidable blow at their own material prosperity in pronouncing the abolition of feudal dues, which no one besides themselves dreamt of abolishing. And all this was not the outcome of a spasmodic excitement—it was the fruit of a well-reflected policy, ripened in the discussions of a quarter of a century. Yes, the Hungarian nobility struggled for more than twenty years in order to despoil themselves; this they did—let me repeat—without a shade of pressure or of menace from without, yielding solely to the liberal spirit which animated them, and to the wisdom of a far-seeing patriotism which understood the need of enrolling in the old service of national defence the new forces of democracy.

I do not know whether, in the history of peoples, there is any other sublime act of renunciation similar to this. As a general rule (it is a truth as

well attested as it is melancholy) the masses have never obtained anything except when they have been in a position to overawe ; and, on the other hand, the privileged classes have never relinquished anything that was not wrested from them by force. There have been at all times and in all classes persons generous enough or wise enough to anticipate reforms which they knew were bound to come some day ; but there has never been—I know—any class sufficiently generous or enlightened to voluntarily renounce any privilege the enjoyment of which they could prolong by one single hour. To the Hungarian nobility alone, as a class, belongs this generosity and wisdom. Our national history contains no more striking instance of such splendid—such sublime—above all, such pure—glory as this : the voluntary abdication of a whole privileged class.

In creating Hungarian democracy without revolution, in the continuity of a constitutional evolution that has stood for ten centuries, the Hungarian nobility has rendered to this democracy an invaluable service : it has introduced a spirit of tradition—a necessary ingredient of all national politics, the absence of which will for a long time yet be a weak spot in the armour of all democracies born of revolutions. This has succeeded with us, thanks to the democratic germs in our social and political organisation—germs it has sufficed to develop in order to accomplish the grand work of



Photo

MONUMENT OF COUNT JULIUS ANDRÁSSY.

Dizala

[To face p. 140.]

reform. The rights and liberties of the nobility, save those exceptional ones, have not been abolished—they have merely been extended to all the citizens : the levelling has come not from below but from above. Social evolution followed an analogous course. As a class the nobility has ceased to exist ; but merged in the mass of the nation its members maintain, as individuals, the place corresponding to their number, their social position, and the permanence of their old memorials. The transition from the old to the new *régime* worked smoothly because it was organic. Thus the continuity of our national policy experienced no shock. The new middle class, the citizens of the towns, the captains of industry and commerce, the mass of intellectuals, even immigrants—all mingle with the old element in the proportions and by the degrees which permit the ancient spirit to permeate the new alloy and to communicate to modern aspirations its original savour and its traditional character. Thus this spirit is preserved to which we owe our political salvation, the thread of which will, I hope, be always bound up warp and woof with our boldest reforms.

III. LOCAL LIBERTIES ; THE COMITAT

A simple glance over the *comitats*, their work of local government, and their political mission, will

complete this rapid sketch of the ancient Hungarian Constitution.

The *comitats*, territorial divisions corresponding as nearly as possible to the English counties or the French *départements*, were instituted by St. Stephen. Originally they were simply military and administrative districts, at the head of which the king placed an officer, who was at once military chief, prefect (lord-lieutenant) and magistrate, whose authority was recognised by all the inhabitants of the *comitat*. History furnishes but few examples of such an uncompromising centralisation. The first beginnings of local self-government were born of the opposition of the free men—of the lower nobility—to this centralist authority. At times when the royal power was weak the nobility of the *comitats* entered into possession of local liberties that later passed into law. From the thirteenth century the judges elected by the nobility of the *comitats* exercised in the king's name a jurisdiction recognised by the Law of 1291. This jurisdiction was exercised above all in cases concerning landed property. Judgments were given in the presence of the assembly of nobles of the *comitat*, who held more or less the functions of a county council and of quarter sessions; it concerned itself with insuring the public security and in organising resistance against the encroachments of the oligarchy, and with this object it created the necessary organs. These institutions and their competence were the

spontaneous outcome of local needs ; the legislator had but to confirm and sanction them. The reigns of the Anjous and of Matthias Corvinus gave a strong impetus to the development of local government. These reigns are not suspected of weakness ; it was, on the contrary, their consciousness of strength that did not fear to take the social forces into their service. The *comitat* became more and more the organ of political and military administration ; its tribunals were those of common law in the first instance, with right of appeal to the Royal High Courts.

Since 1613 a list of nobles learned in the law has been posted up in each *comitat*—analogous to that of the justices of the peace in England—and it is from this list of “judges of the table” (*táblabírák*) that the assessors of tribunals of first instance were taken. The *táblabírák* have played a great part in our history ; they were the leaders of the political movement and of opinion in their *comitats*. This political influence of a class of lawyers, or rather magistrates, who are at the same time landed proprietors (*bene possessionati*) and therefore social authorities—has shaped the character of our national politics for the last two centuries. With all their faults, at the time when all efforts had to be concentrated on the defence of our constitutional rights, they proved equal to the occasion, and upon the whole they were a type the national genius had created at the opportune

moment. This class has given to us a series of statesmen and jurisconsults, of whom Francis Deák was the most illustrious example, whose name alone would suffice to surround it with an imperishable halo.

The beginning of the thirteenth century found the *comitats* in possession of the right to make their own statutes. Towards the end of the same century they acquired that of nominating the officer who, under the name of "*alispán*" (*vice-comes*, or vice-prefect), is really at the head of the Administration. The royal high officer, the "*főispán*" (*comes supremus*, or prefect), is but a dignitary charged with a certain control, and above all a diplomatic agent whose mission consists in bringing the *comitat* into line with the politics of the Government of the day. From this time the *comitats*, with their deliberative assemblies and elective functionaries, were the principal local organs of the executive power. The laws and ordinances of the central Government are communicated to them. The ordinances are often "respectfully laid aside" (according to the usual formula) if the *comitat* considers them contrary to the Constitution; at all events their right of remonstrance has been recognised from that period to our own days. Resistance is, and will be, a constitutional duty, if and when the Government demands the collection of a tax not consented to, or the levying of recruits not passed, by the Diet.

This assembly of nobles of a *comitat*, which we see in possession of a local autonomy so strongly constituted, is at the same time the electoral body which nominates the two "nuncios" of the *comitat* to the Diet ; it issues their instructions, and revokes them if they fail to carry them out. It is thus a political body of considerable importance ; it discusses the great questions of the day, not only with the object of deciding as to the instructions of the nuncios, but of passing independent resolutions, often communicated by the famous "circular letters" to the other *comitats* and free cities, with the request to adhere to them. This custom has been handed down to our own times, having survived the democratic reorganisation of the *comitats*. With a free press and the right of association now enjoyed by all citizens, it has no longer its original importance ; but in past ages it was by it that a strong public opinion and a virile self-conscious faith were formed through all the members of the national body.

Let us observe, these local centres of administration and politics, whose rôle grew century by century until the advent of a parliamentary régime, put no centrifugal or federalist note into the public life of the country ; on the contrary, they were new forces placed at the service of national unity. The "circular letters" just referred to prevented the political movement of the *comitats* from becoming localised. Since each desired to enlist the

sympathies of the others, it was quite necessary to inspire them with universal, or rather, national interests and sentiments. Here, again, the infallible political instinct of our race is manifested, in developing at the opportune moment (as we shall find) local liberties to an almost extraordinary degree ; finding at the same time the means of steering clear of all dangers that a centrifugal force is apt to generate, and finding them in an institution that seems to be the crowning act—the last word—of this development.

The modern *comitat* has a general elective council instead of an assembly of nobles. It no longer wields magisterial powers entrusted, in all cases since the separation of powers, to royal tribunals ; it no longer nominates the Deputies, who are elected at the uni-nominal ballot of the electoral division, and no longer receives instructions—that goes without saying. Otherwise, it has preserved the rights, liberties and functions I have just described. The territorial limits of the *comitats* themselves are nearly like those the genius of St. Stephen outlined. The reforms that appear necessary will not, I am sure, destroy the essence of that eminently national institution.

I shall not say much about the ancient organisation of the free cities, which is generally only an adaptation of foreign urban law imported, in most instances, by their foreign founders. Rather shall I point out in one word that the principle of self-

government was that of common law in ancient Hungary for every association formed in the interests of public utility. The work of Verböczy confirms this since the sixteenth century, and speaks of it as an established law existing from time immemorial. The new religious confessions, Protestants and Orthodox Greeks, profited thereby to form an autonomous organisation flourishing at the present day, which the Catholics strive to imitate—within the limits of their dogmas—since their Church no longer possesses the prerogatives of a State religion. Only, all these free organisations have been submitted to the laws of the country and to the supreme inspection (*jus supremæ inspectionis*) of the king. And that is what, since the Middle Ages, has brought them nearer to the modern form of association; that is what has distinguished them from that confusion of corporations, free territories and local exemptions which broke up the unity of common law and weakened the sovereignty of the whole of mediæval Europe. The maxim of the German *Sachsenspiegel*, which renders so well the prevailing idea of German law, according to which “provincial law breaks up imperial law, individual law breaks up provincial law” (*Landrecht bricht Reichsrecht, Willkür bricht Landrecht*), has always been unknown in Hungary. The opposite principle has at all times prevailed. The law of the country—common law—is the immutable circle in

which all local and individual liberty must be set, and the right of royal supervision guarantees the submission of the *parts* to the *whole* of the State. The opposition the *comitats* often make to the central authority is not inconsistent with this rule, for it is always in the name of the law—of the will of the supreme power in the State—that it is made; against the law there is no opposition, that is the unchangeable principle of all liberty. This principle is broad enough to admit of a rich and multi-coloured vitality; if need be, it can be made still broader, by way of legislation, but no one may overstep the limit with impunity.

Hungary possessed from her origin most mighty unifying forces; she had, as one of the strongest among these unifying forces, the unity of law. For ten centuries the same laws governed the entire country, as well in civil as in criminal matters, in common as in private law. By the side of the ancient and permanent concentration of all the public powers—by the side of an equal nobility, easily accessible, transformed into a democracy by the simple extension of its prerogatives to all citizens—this unity of law was the most important social and political factor of Hungarian history. National unity, in the juridical and political sense of the term, was the natural result of the time-honoured action of these forces; organic unity, embracing all the inhabitants of this country without distinction of race or religion, guaranteeing

their liberty and their security, and also the peace and tranquillity of this part of Europe.

IV. EQUILIBRIUM OF THE CONSTITUTIONAL FORCES

We have now to examine the state of equilibrium in which the nation put the three constitutional forces whose chief functions we have seen. This equilibrium varied from one period to another.

In regarding only the chief outlines of Hungarian history prior to 1848, there are found to be three periods strongly marked, each presenting a distinct character: (1) the period of the Árpád dynasty (1000–1301), (2) that of the kings of various families (1301–1526), and (3) that of the Hapsburgs (1526–1848).

1. The Árpáds were pre-eminently a national dynasty; they gave us a line of kings imbued with the national idea, having, interiorly as exteriorly, a national, logical and reasonable policy. Thus it was the royal power that was predominant at that period; it had its eclipses, certainly, but on the whole it was a Golden Age.

2. At the period of the kings who came of various families, royalty no longer partook of this eminently national character. Several great kings were the exception, and these fully enjoyed the ancient royal power; but altogether the reigns of this period brought us an infiltration of foreign dynastic

interests and of ideas often antagonistic to the national genius. Therefore at this period the national representatives, the Diet, in case of need the National Assembly, was placed in the first rank of public powers. The Diet represented the national idea better than did the kings ; it was therefore to that (*i.e.* the Diet) that the supreme direction in full right belonged.

3. The third period, that of the Hapsburgs up to 1848, furnishes the spectacle of a royalty often anti-national, working to undermine the independence and liberties of the country. The Diets were weakened by internal strife, religious disputes especially ; the presence of the Turk, moreover, for a long time reduced them to the representation of barely a third of the country ; later they suffered frequent intermissions—illegal, it is true—but which the country lacked the power to prevent. Notwithstanding their valour, they were unable, by themselves alone, effectively to counteract the anti-national machinations of the royal power. But in a preceding period the national genius had developed institutions of local government which, in the hour of peril, it transformed into an invincible resisting force—invincible because intangible. The *comitats*, the sole local organs of executive power, with their assemblies and elective functionaries, became so many centres of passive resistance to anti-constitutional ordinances, which fell flat instead of being executed.

At the same time they fostered the national opinion by their discussions and political correspondence. Local autonomy at that time became the principal power of the Constitution, which it saved : and it so remained until the day when the establishment of parliamentary *régime* rendered to the national idea its structure and its natural guarantees, and restored a normal and steady equilibrium between the great public powers.

Let us note that these successive displacements of the predominant power were not due to any special legislative act, nor to the individual initiative of any great man : the national instinct produced them, like the unconscious action of a vigorous organism that causes all the vivifying energies spontaneously to flow towards the organ whose action is most important at a given moment. Hungary has often known how to do without great men ; she has, of course, had them, and God forbid that I should withhold the meed of gratitude we owe them ; but there were prolonged periods—for example, nearly the whole of the eighteenth century—not distinguished by any remarkable name, and yet the work of constitutional defence was carried on, the independence of the country and her liberty preserved, the struggle being maintained under the command of simple captains. These temporary eclipses of individual genius but caused the national genius to shine with greater splendour, for nothing better shows the

collective strength of a nation than the means of which she makes use when Providence denies to her chiefs of brilliant qualities. And I am not going too far in saying that the Hungarian nation, taken as a whole, has been superior to most of her eminent men, and that only the greatest among the great have been superior to her.

Now let us take leave of history, and examine the parliamentary institutions of the present day.

V. THE HUNGARIAN PARLIAMENT AT THE PRESENT DAY

I. *General Description*

The Hungarian Parliament consists of two Chambers, whose official designations are : *Képviselőház*—Chamber (lit. House) of Deputies (House of Commons)—and *Főrendiház*—Chamber (lit. House) of Magnates, or Lords. The traditional name of the Upper House has been preserved, though in 1885 it underwent certain changes.

Parliament is convoked by the king for a term of five years. The king may suspend its sessions and dissolve the Chamber of Deputies before the term be expired. These royal prerogatives are, however, subject to the following conditions—

Parliament must be convoked within the three months following the expiration of the mandate, or the dissolution, of the preceding Parliament, and there must be one session per year. If the



Photo

THE HOUSES OF PARLIAMENT, BUDAPEST.

Discol'd

[To face p. 152.]

dissolution, or the suspension of the sessions by royal order, intervenes before the voting of the Budget of the following year, the convocation of the new Parliament—or the royal authority for the resumption of the sessions—must take place at a date that will render possible the constitutional voting of the said Budget. This limitation of the right of dissolution is without parallel in monarchical constitutions. One of the results of this principle, carried to its furthest extent in our institutions, is that never in any case has the collection of an impost not voted by Parliament been permitted.

Parliament shares with the king the legislative power, that is, the right of making, changing, abrogating and interpreting the laws; the right of initiative in the legislative domain belongs to King and Parliament; the latter can exercise it, according to ancient custom, only through the Chamber of Deputies. The legislative power is supreme; it regulates the exercise of all other powers; the royal power itself cannot even be exercised except in accordance with the laws and within the limits of the laws. This principle goes back to the Middle Ages. The majesty of the law has always been deemed superior to the majesty of the king—so high has it been placed in our ancient and modern institutions. Certainly there have been kings who infringed the laws and violated the Constitution, but there has never been (as in

England under the Stuarts) a juridical school and a great political party that theoretically placed the royal power above the law. All the dispositions pertaining to the welfare of the State, the establishment of the Budget, and the passing of accounts, belonged to the domain of the legislative power.

The king can exercise his prerogative only through ministers responsible to Parliament. The juridical responsibility of these is defined by Law III of 1848 ; in the terms of that law, ministers may be indicted by the vote of a simple majority of the Chamber of Deputies : (*a*) for every act detrimental to the independence of the country, the Constitutional Guarantees, individual liberty, or the right of property ; (*b*) for every act of bribery in the administration of the commonwealth ; (*c*) for every voluntary omission in the execution of the laws and the maintenance of public security. They are publicly judged by a tribunal composed of twelve members of the House of Lords, who, for this function, choose by secret ballot thirty-six peers, of whom twelve may be rejected by the commissioners charged with the prosecution, and twelve by the defendant minister. In the event of condemnation the king can exercise the right of pardon only at the time of a general amnesty.

It was foreseen that this procedure of juridical responsibility would be quite as little enforced with us as it has been in England since the English

Chamber obtained the right of making the political responsibility of the ministers effectual. Our Chambers possess the plenitude of this power. No more than in England is it founded on a clear written law, but it is admitted that an unfavourable vote of the Chamber of Deputies bearing on any important question, whether it throws out a Ministerial Bill or blames a Government action, involves—according to the nature of the case—either the dismissal of the minister or of the entire Cabinet, unless the king prefers to make an appeal to the country by the dissolution of the Chamber. No minister would dare to attempt to get away from this constitutional rule. The Chamber of Deputies exercises this decisive influence on the executive power, which is the characteristic feature of parliamentary rule. It is self-evident that an unfavourable vote of the House of Lords involves no consequences of this kind.

The participation of Parliament in the judiciary power is very small; the king is always the great justiciary of the country, and in his name all judgments are given. There are, however, some fragments of parliamentary jurisdiction that have been developed outside the juridical responsibility of ministers just referred to. The House of Lords half participates in the formation of a competent disciplinary court for the professional misdemeanours of members of the high magistrature. It chooses for this purpose twenty-four of its members (the

other half of this tribunal being taken from the Royal High Court or Supreme Tribunal of Appeal). The jurisdiction of the Chambers over their members is limited to the verification of powers, and to certain questions of validity or invalidity ; yet a recent law, of which we shall have to speak in detail, has transferred to the Royal High Court the best part of this latter jurisdiction. It is only quite recently that the "commission of inquiry" of the Chamber in matters of invalidity or incompatibility (see further) have been invested with the right to call witnesses and to hear evidence on oath.

The members of both Chambers from time immemorial have possessed the right of "safe-conduct," according to which any member of Parliament returning to the place of its meeting, or remaining there, cannot be molested or arrested, either by the authorities or by private persons ; any interference with his person is tantamount to the crime of treason. To-day this right has resolved itself into personal immunity, in virtue of which no law-suit nor arrest can be ordered against a member of Parliament, excepting cases of *flagrante delicto*, without the previous authority of the Chamber to which he belongs.

Deputies enjoy an annual salary of £250.

A word must be said on the relations of the two Houses. Save the right of initiative, their legislative powers are the same. The House of

Lords may reject the Bills passed by the Chamber of Deputies as many times as it pleases. Before 1848 conflict between the two Chambers was by no means rare, but to-day, though there has been no change in the law, the preponderance of the popular Assembly has become so incontestable that the House of Lords does not persist after a first manifestation of opposition, which has but a dilatory effect. In the absence of a law, custom has prescribed for the Chamber of Deputies its privileged situation as regards the "Money Bills"—or laws of finance—a situation somewhat like that of the House of Commons in England.

Though the separation of the two Chambers dates from several centuries ago, there remains nevertheless some traces of their ancient union. It sometimes happens that the Chamber of Deputies, when it desires to give an exceptional moral force to resolutions not in the legislative domain, invites the House of Lords to support them. The resolutions confirmed by this double adhesion then become "*országos határozat*," or national resolutions. There are questions—above all, those which concern the relations of Hungary with Austria, or those of Hungary proper with Croatia—the preparation of which is entrusted to commissions composed of members of the two Chambers called "regnicolar commissions." A regulation concerted between the two Chambers has provided for the case of meeting and voting in common session ;

this still happens in our days for the election of the two Guards of the Crown, who count among the first dignitaries of the kingdom, or in cases of exceptional solemnity.

2. *Composition of the two Chambers*

(a) HOUSE OF LORDS

The reform of 1848 has not touched the organisation of this Chamber, which we have previously outlined. In 1885 a very slight reform changed somewhat its composition without sapping its historic foundation. This Chamber at present comprises seventeen members of the Royal Family ; also the same great dignitaries of the kingdom who held the right to sit before the reform, as well as the presidents of the two Royal High Courts of Appeal—in all nineteen members ; the Catholic Diocesan bishops of both rites, to the number of twenty-three, and nine Greek Orthodox bishops, continue to take part in the assembly. The titular bishops only have been excluded (having no dioceses), but *per contra*, to observe the principle of the equality of religions, six representatives (ecclesiastics and laymen, according to the respective autonomous organisations) have been added for each of the two great Protestant confessions, Lutheran and Calvinist, and one for the Unitarian community.

The hereditary aristocracy still forms the backbone of the Chamber, but it is only those of their

members who pay at least £250 of land-tax annually who can exercise it. They number to-day two hundred and thirty-four.

All these reforms were very carefully drafted with little consideration for radical aspirations, as public opinion still holds that a first Chamber of an aristocratic and hereditary character might afford at the given moment a reserve of national force.

There is really nothing new in the present House of Lords except the exclusion of the supreme counts of *comitats* (who, having now become simple functionaries, are no longer required in an assembly that makes independence the most important quality) and the creation of another category—that of life-members appointed by the king, the total number of whom may not exceed fifty (there are actually forty-six), with four annual nominations at the most.

Let us add three members delegated by the provincial Diet of Croatia, and fifty members (of whom only twenty-five remain) appointed once for all by the Magnates, who, having sat before the reform, have lost the exercise of this right because the taxes they pay do not reach the amount prescribed by the new law. This last category will soon disappear through extinction.

Members of the House of Lords, to whichever category they may belong, may accept and exercise the mandate of a Deputy, but in the period of its

duration their right to sit in the Upper House is suspended. The great dignitaries of the kingdom are alone excepted from this rule ; they cannot exercise a mandate without definitely renouncing their offices.

(b) CHAMBER OF DEPUTIES

This Chamber is composed of 453 Deputies, of whom 413 represent Hungary proper and 40 the provincial Diet of Croatia ; this country possessing an autonomous legislative power for all internal affairs (religion, public instruction, criminal and civil law, justice and administration), the Croatian Deputies do not take part in the discussions and voting of the Hungarian Chamber except when it turns upon affairs common to all the countries of St. Stephen's crown : finance, economic administration, communications, military legislation, and common affairs between Hungary and Austria. The electoral laws of the provincial Diet, the verification of powers, and the internal regulations of this Diet belonging to the domain of Croatian autonomy, we shall not here treat of the questions except in so far as they relate to Hungary proper.

3. *Elections*

The elections are governed by the Law of November 10, 1874, which is a veritable code



Photo

BUDAPEST (FROM THE FORTRESS).

Divall

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comprising no less than 121 articles. It supercedes the Law of 1848, whose details it has changed without touching its principles. It has, however, been amended on important points by the Law of 1899, on the jurisdiction in electoral matters. The electoral right—the incapable and unworthy being excluded—is based on age and quit-rent or capacity. For Hungary proper there are about 1,100,000 electors out of a total population of about 17,000,000.

The prescribed age for an elector is 20 years (in Austria it is 24 years). The quit-rent is fixed by different procedures, according as it is the question of landed property, capital, industry or occupation. For the different classes of electors it may be brought up to a revenue of 105 florins (£8 15s. *od.*), and to a direct tax of 10 florins (£0 16s. *od.*). In towns those are dispensed from quit-rent who possess for themselves only a house containing at least three habitations, if it be exempt from imposts, artisans who have an assistant or worker, and throughout the kingdom those who possess ancient privileges, whose number is constantly decreasing.

The category of capacities, which affords scope for the representation of intelligence by the side of that of wealth, is very extensive, and nearly 30,000 electors benefit thereby. It comprises the members of the academies, the lower clergy, professors, doctors, physicians, chemists, lawyers, engineers

and school-masters. On the other hand, officers and soldiers on active service, customs' employés and the police have no vote.

The assessment of the electoral districts is very unequal.

The electoral powers belong to the Central Electoral Committee established in each town or *comitat* for all the electoral districts subordinate thereto. The Committee is elected by the municipal council of the towns or by the general council of the *comitat*. It counts at least a dozen members, whose number may be augmented according to the size of the election districts.

The Burgess lists are drawn up by three of the members elected by the Central Electoral Committee ; appeal may be made—in order to register a forgotten elector, or to strike off an illegal registration—in the first instance to this Central Committee, in the second instance to the Royal High Court.

The Minister of the Interior notifies the electors thirty days before the election, fixing an interval of ten days in which all the polling must be completed. Thus the elections do not all take place simultaneously : so that a candidate defeated in one constituency is afforded the opportunity of standing for another, in which the result may possibly be successful.

Polling day is fixed by the Central Electoral Committee, but in such manner that all the polls

in each town or *comitat* are taken on the same day. The Central Electoral Committee also selects the president of the commission placed over the polling in each town or district. This commission consists of two members delegated by the municipal council of the town or commune in which the polling takes place, with the addition of one or two electors chosen by each party to represent their interests. The president has full powers to direct the whole election, the members of the committee having but a consultative voice ; but he cannot be elected Deputy in the town or district in which he so officiates.

Polling may take place in several sections when the number of electors exceeds 1500 ; but at the risk of inflicting personal inconvenience on the electors, these sections are appointed to the chief town of the district, where they must meet for the purpose of voting.

Polling commences at 8 a.m. on the day of the election, and must be continued without interruption. If polling be suspended for more than two hours owing to disturbances, the president may postpone it till another day. The polling cannot be closed until no one has voted for the space of one hour, except on the request of both parties.

The election begins by the introduction of the candidate, which may be made by ten electors of the district ; when this has not been done on the day preceding the election, it may be pointed out

before polling commences. When, half-an-hour before polling commences, one candidate only has been introduced, the president of the commission declares there will be no contest, and proclaims the said candidate duly elected. When there are several candidates, and when the electors demand the poll, it is proceeded with.

The voting is everywhere uniform, public and oral. Each elector, having given his name and established his identity, proclaims in a loud voice the name of the candidate for whom he intends to vote, and beside the elector's name is written that of the candidate for whom he votes.

The communes or wards are admitted to the poll in the order arranged by the Central Committee, and the electors of the same commune are called separately, according to the candidate for whom they vote. It is decided by lot for the first commune which party shall be first admitted to vote ; for the remaining communes both parties alternate.

No fixed number of votes is required for the validity of an election, but when neither candidate has obtained an absolute majority a ballot takes place between the two candidates who have polled the most votes. In such an event the Central Committee fixes the date of the second poll, for which there must be an interval of at least fourteen days.

With regard to our electoral manners—not

wishing to cover up anything unfavourable in this picture of our constitutional life, the most salient points of which I put before the reader—I must confess that they leave something to be desired in many respects. Illegitimate governmental influences and individual corruption have been spread abroad so assiduously that, for a long time, no serious attempt has been made to check the evil—which, however, has never attained the proportions it has in England in the worst periods of her parliamentary life. I am happy to be able to add that the recent law on jurisdiction in electoral matters, of which I shall speak at length, has produced quite a revolution in this respect. The last elections of 1901 were, taken altogether, very clean-handed ; the best proof of this lies in the fact that the debate on the Address produced no recrimination on the part of the Opposition.¹ In prosecuting the work of reform so auspiciously inaugurated, we have every chance to reach as near to the ideal as is humanly possible. Our electorate are deserving that care should be taken of their liberties ; I know of no more intelligent nor better able to exercise judiciously their political rights.

¹ This was written in 1902 ; I have no reason to alter the statement with regard to the two elections that have taken place since that year.—*The writer.*

4. *Opening of the Chamber (Verification of Powers, Composition of the Committee)*

The elections over, the Chamber meets at Budapest, under the presidency of the oldest member, after a lapse of time fixed by the royal letters of convocation, which may not exceed thirty days. According to established custom, both Chambers repair to the royal palace to hear the Speech from the Throne, pronounced by either the king in person or a royal commissioner appointed for the purpose. King Francis Joseph I has only once missed this important function since the restoration of the Constitution. Afterwards the Chamber proceeds immediately with the verification of powers.

I pass over the not very interesting formalities of this proceeding, which is pretty much the same in all parliaments, that I may take up the jurisdiction established by our laws concerning "mandates petitioned against," *i. e.* requests that the election of certain candidates may be pronounced "invalid," for it is only there that we shall find traits deeply characteristic of our constitutional development.

From time immemorial this jurisdiction belonged to the Chamber, and was considered a necessary prerogative of its sovereignty, but—like foreign assemblies—our own, in this matter, has only rendered justice ever so little satisfactory. There is evidently incompatibility between the



Photo

THE KING'S PALACE, BUDAPEST.

Diana

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nature of these judiciary functions and the psychology of an assembly divided by competition for power. A radical reform was therefore imposed, and the electoral law of 1874 proclaimed in effect the principle of the transfer of this jurisdiction to the Royal High Court. But the details of this reform have been reserved to a special law, and provisionally the *status quo* has been maintained. This provision has been in force twenty-five years, for the special law announced since 1874 was not passed till 1899.

Many causes contributed to this prolonged delay. Besides considerations of political egotism, on which it is superfluous to dwell, many good spirits were averse to giving up what in their eyes was, notwithstanding its too plain abuses, prerogative of parliamentary sovereignty that might some day again become a necessary guarantee. Has it not, indeed, been seen in all countries at certain periods—the magistracy transformed into an instrument of arbitrary power? Certainly the High Court to-day justly inspires our unlimited confidence; certainly the guarantees against the return of the sad times to which we have alluded have been multiplied to the point of making such a return almost impossible; but when parliamentary independence is in question, it is but fitting that we should guard against even the impossible—especially in Hungary. To these constitutional scruples may be added the fear of seeing the high

magistracy mixed up in any way in political quarrels, when it might have to give judgments concerning the vital interests of parties. The members themselves of this high magistracy show the greatest repugnance to accept the new task. In England the judges of Queen's Bench addressed a petition to Parliament against the Bill presented in 1868 conferring on them jurisdiction in electoral matters. Without taking any analogous step, the Hungarian judges do not hide their sentiments, which are identical with those of their English colleagues. These two kinds of scruples, equally to be respected, confronted the question of purifying the elections. The dilemma was specious. The illustrious Keeper of the Seals of the first Wekerle Cabinet, the regretted Szilágyi, set himself to solve it.

A long time under the control of the objections to the reform, he at length surrendered to the evidence of its necessity ; he then sought to conciliate (and in my opinion he succeeded) the apparently irreconcilable interests between which their minds had hesitated, not knowing which to sacrifice. He sacrificed none. The Law of 1899, "on the jurisdiction in matters of contested election by request for invalidation," remains as a monument to the memory of the eminent jurisconsult and statesman Hungary has lost. It is at the same time a work characteristic of Hungarian political genius, of which the deceased gentleman was one of the

strongest personifications. At this double point of view I think I ought to make known its spirit and principal provisions.

The law presents an exceptional appearance ; for the right of jurisdiction of the Chamber in electoral matters is expressly maintained in principle: the exercise only of this jurisdiction is entrusted to the Royal High Court, in accordance with an extraordinary legislative order, which must be mentioned in the preamble of each judgment, defined for a period of eight years, for a series of nullity cases enumerated in a limitative manner and with a strictly determined judiciary power. The judgments of the High Court cannot do more than pronounce upon the constitutive facts of the nullity, or the contrary ; if the fact seems proved it will quash the election, or the mandate (two distinct concepts) tainted with it. In the contrary event it will reject the request for invalidation. The right to put a Deputy in possession of his mandate is exclusively reserved to the Chamber, though the judgments of the High Court often furnish an obligatory basis to the exercise of this right, of which the consequences have only to be applied.

The Chamber continues to exercise jurisdiction in all nullity suits not contained in the limitative enumeration of cases reserved to the High Court ; it takes up the whole of them *ipso jure* to the expiration of the eight years' period, unless the

mandate of the High Court be renewed—which no doubt will be done.

The enumeration of nullity suits depending on the competence of the High Courts forms the most complete catalogue of all the electoral abuses imaginable : corruption, abuse of authority, undue social influence, excitement of unlawful passions, fraud, violence—everything is there. What differentiates the cases reserved to the High Court from those which remain under the jurisdiction of the Chamber, is the presence of precise facts, of a juridical “*Thatbestand*” (according to the German expression) which may serve as a basis for the regular exercise of the judiciary power ; in what concerns the proofs of facts to be established, the High Court has full liberty for comment and criticism, even outside the rules of ordinary procedure. Cases in which the precise fact is missing, in which judgment can only be based on a summing up or on general impressions, remain within the jurisdiction of the Chamber.

From the present it will be seen how the economy of this law accomplishes the necessary reform and removes the difficulties. Firstly, it hands over to the severe jurisdiction of the Royal High Court the great majority of electoral abuses capable of being proved, only withholding cases in which the precise fact, the judicial basis, is lacking ; thereby it shelters the magistracy from the vulgar clamour which political passions are so apt

to arouse. Further, it permits the Chamber to take up again entirely the exercise of jurisdiction in electoral matters, by the simple refusal, after the term of eight years, to renew the powers of the High Court, if that should appear necessary from the point of view of the Constitutional Guarantees. It will, however, be morally impossible to do so unless this necessity be evident in the eyes of public opinion.

Cases of nullity or invalidation are divided into two principal classes : absolute and relative.

In the first class, the act of abuse alone involves the nullifying of the election, without respect to its influence on the result of the polling. All acts of abuse committed by the Deputy himself, or in connivance with him, and certain acts of abuse by the officials in charge of the election, are in this category, and entirely amenable to the High Court.

In the second class we find acts of abuse by other persons, without connivance with the Deputy himself being proved. Here takes place an examination with regard to the influence of these acts on the result of the polling. Invalidation or nullity can only be pronounced if it be proved that these acts did affect, or could have affected, the majority. The line of demarcation between the jurisdiction of the High Court and that of the Chamber may be seen in this category. Before the High Court, the procedure must ascertain the number of votes branded with illegality (through

corruption, intimidation, etc.), and that *on both sides*, for the defendant is always allowed to counterprove: such votes are annulled. Next, the procedure ascertains, according to the nature of the case, the votes inscribed by fraud or error on a false list: such votes are allowed to the candidate to whom they rightfully belong. Lastly, the procedure ascertains what electors were deprived of their votes by fraud, violence, or other act of abuse: these involuntary abstentions involve different consequences, according as the plaintiffs prove, or not, the actual intention of the litigious electors to vote for the candidate in the minority. In the former case there is legal presumption that they would have effectively voted *for* him, and their votes are accordingly placed to his account; in the latter case there is legal presumption that they might have voted against the victorious candidate, and the majority in favour of the elected will not be upheld unless it shows more than half the votes of all those who have voted, plus those of the electors illegally excluded from voting. In both cases, however, the defendant is allowed to prove against the legal presumption.

As will be seen, in this category it is the question of establishing mathematically either a true majority or the impossibility of ascertaining it. This, therefore, creates two sub-categories, in the second of which the High Court can only reject the request for invalidation or nullify the election

altogether ; while in the first it will establish by judgment the true majority, whether in favour of the victorious candidate—which implies the rejection of the request for invalidation—or in favour of his adversary, which implies the nullifying of the challenged mandate only, but not that of the election itself, which is upheld, save for the rectification of its result. On the basis of this judgment, which is absolute, the Chamber will grant the mandate to the candidate in whose favour the majority has been established.

It remains to us to say a few words on the jurisdiction of the Chamber. We have seen the kind of cases still submitted to it : they are those in which abuses on a large scale are brought to light, without it being possible to trace them to a number of electors sufficient to affect the result of the poll. The nature of these cases, which admit only of a moral conviction, cause their perpetrators for the most part to escape human justice. Therefore the experience of the last elections proves that the jurisdiction of the Chamber will not often be invoked. In 1901 nine-tenths of the requests for invalidation were addressed to the High Court.

It may happen, however, that the plaintiff, not being sure enough of his proofs, reserves to himself, as a last resource, recourse to the jurisdiction of the Chamber, while applying to the High Court. Both jurisdictions will then be in possession of the same case, and the Chamber will wait its turn until the

proceedings before the High Court are terminated. If these proceedings end in a positive judgment, whether the nullifying of the election or the establishment of a legal majority, there is no ground for further proceedings before the Chamber. If, on the other hand, the High Court merely rejects the request for invalidation because the facts establishing its competence do not appear to be proved, the Chamber will examine, but it will regard as a judged affair every fact established in the course of the proceedings before the High Court.

The Chamber exercises its jurisdiction through committees of judgment, each comprising nine members, elected from the Deputies. The procedure before these committees is minutely described in the regulations ; they institute an inquiry when necessary, and delegate for this purpose one of their members, invested with all the powers of an examining magistrate. The members of the committee of judgment, as well as the Deputies constituting the commission of inquiry, take oath before the Chamber to proceed with rigorous impartiality according to the laws and regulations.

The law we are now reviewing contains another most important provision, by which an electoral division charged with general corrupt practices may be temporarily deprived of the right of representation by a vote of the Chamber, after inquiry on the spot. It also contains a schedule of 45 articles which set forth a series of severe

penalties against all kinds of electoral abuses ; it is a veritable electoral criminal code, attesting the strong will of the legislature to lay the axe at the root of the evil. At the time of the elections of 1901—the first to take place under the new law—its wholesome preventive effect was fully demonstrated. Generally speaking, abuses are very rare ; the meddling of officials has almost entirely disappeared, and corrupt practices are only occasionally manifested. The effort has not then been useless.

Here I think I should mention another reform recently accomplished, having an evident affinity of thought with that I have just analysed. I refer to the law on the incompatibility of the mandate of Deputy with certain public offices and lucrative occupations. These two reforms have had to contend against the same resistance ; and by the same forces they have triumphed. The illustrious name of Szilágyi shines with the reflex of both ; author of the first, he was also the redoubtable champion of the second.

The principle of incompatibility, inscribed in our laws for many years, had remained a dead letter, save for the incompatibility of public functions, whether by reason of the too vague terms of the old law, or of the too indulgent proceedings that were followed in its application.

The new law aims first of all at precision of material provisions by definitions it seems difficult

to evade. Here are its principal qualities : There is incompatibility of the mandate of Deputy with all functions conferred by royal or governmental appointment—except those of Ministers, of one Secretary of State per Ministry, of professors of the University of Budapest, and with certain municipal elective offices. There is incompatibility on account of private interest in the case of all contractors, purveyors and bankers, as well as directors or members of Councils of Administration, or salaried employees of every commercial society (in the widest acceptance of this term) having business relations with the State. Lastly, there is incompatibility for farmers of State property, concessionaires of railways, canals, and other lucrative enterprises enjoying in any form whatever any State subvention or guarantee. Tobacco being a monopoly, the agriculturist possessing a licence for its cultivation, who becomes a Deputy, may continue his calling, but he can neither increase his former licence nor obtain a new one. It is forbidden to Deputies to approach the Government for nomination to a post, or for a concession of any material advantage whatever. Intervention is permitted only in the collective interest of the electoral district, of the communes belonging to it, or to the *comitat* to which it belongs.

The law, while averse to the radical measure of transferring to the High Court the jurisdiction in this matter, as in elective matters, seeks not-

withstanding to establish an impartial and firm procedure by means of the following provisions : Every elector may report any cases of incompatibility he may be aware of. His report is then addressed to the president (Speaker) of the House, who at once transmits it to the permanent commission of the Chamber charged with the examination, which consists in gathering together all the facts on the case brought under its notice. This examination finished, another commission is formed, drawn by lot, from a list of eighty Deputies, which list it is the duty of the president to present at the commencement of each session. This commission then meets at once, and does not disperse until after delivering its judgment. From this judgment there is no appeal ; it establishes whether there is incompatibility or not, and whether there is bad faith or not. A period of eight days is allowed a Deputy affected by this judgment to take his choice between his mandate and the office or occupation declared incompatible ; if, however, he is found guilty of bad faith, he loses his mandate. One may easily see the idea in the establishment of this procedure, whose originality is by no means its least merit.

The commissions charged with judging these cases of incompatibility are the product of a double selection ; one is made by the president, who, alone responsible before opinion, may naturally be relied on to choose Deputies most worthy of confidence ;

the other, selected at random from the president's list, excludes any combination of partiality. Moreover, this kind of conclave, whose members no one can know in advance, is shielded as far as possible from all influences of clannishness, whose good faith itself is sometimes attacked.

I have stopped to analyse these two laws because they sum up the great work of the purification of parliamentary rule, to which the Hungarian legislator has of late devoted his attention, after too long neglecting this sphere of activity. But while paying a just tribute to reforms already accomplished, we must not hide from ourselves that they are only a beginning ; the rectification of electoral districts, extension of the suffrage, the reform of the old-fashioned system of polling—all are necessary and must be done. It is always well to thoroughly cleanse the old dwelling before inviting new tenants.

This is the place to say a word on certain parliamentary customs.

With the exception of those members who present a report from a select committee (who occupy the tribune), members speak in their places. This simplicity is in keeping with the sober character of our parliamentary eloquence. Declamation, seeking after effect, have little place ; what is required of an orator is the statement of facts, without too many figures or statistics, and a



Photo

ANDRÁSSY-UT, BUDAPEST.

Dívald

[*To face p. 178.*]

thread of argument pithy and lucid ; on a firm logical base he may place with advantage a few pathetic sentences, appealing to sentiment or passion, according to the nature of his discourse, but the idle phrase excites only a smile. Irony, when not cutting, or a jest, are appreciated, but the orator who wishes to be taken seriously must use these with moderation. Let me add that the same rules apply to eloquence at public meetings, for our masses, though susceptible to personal attraction and often succumbing to fallacious arguments, require, above all, their intelligence to be convinced—sentiment may then follow. All this may perhaps astonish the reader, fed on the fantastic stories that some people like to put down to us ; but I speak with thirty-five years' experience, during which period I have taken part in public meetings as well as in parliamentary debate. This experience has taught me that the primary condition of success before a popular audience in Hungary is for the speaker to inspire the conviction that he is honest, serious and sincere. It has taught me, further, that the Hungarian people in their democratic transformation have lost none of that admirable political instinct by which they have maintained their national existence, independence and liberty. Of all Constitutional Guarantees, that is the best ; of all pledges of the future, that is the surest.

VI. RELATIONS BETWEEN HUNGARY AND AUSTRIA

I intend now to put before my readers a brief account of the juridical nature of our connection with Austria. In doing so it is not my intention to trouble them with my personal opinion on any controversial matter ; I mean to state nothing but fact, law, and what is the common creed of all my countrymen, without distinction of party. As a matter of fact I have been assisted in the drawing up of this sketch by our highest authorities in matters of public law, without party distinction.

The relations between Austria and Hungary seem to be such a network of intricacies to foreign observers that very few of them care to get to the bottom of the matter. In fact, the great difficulty which is experienced in mastering this problem arises not so much from its own nature than from the prevalence of certain false general notions and misleading comparisons. The most widespread fundamental error, the *Πρωτον ψευδός*, as I should like to call it, consists in considering an Austrian empire, which is understood to contain Hungary, as the primordial fact, and whatever is known of Hungarian independence as a sort of provincial autonomy, conceded to that "turbulent province" by the central power of the empire. Austrian court politicians and some German writers have

done their best—or rather their worst—to propagate this theory, which, however, is radically false, and, being almost daily contradicted by facts, engenders hopeless confusion in the minds of all who choose to be guided by it. The truth is the exact counterpart of the above-quoted proposition ; in truth, historical, legal and material, the primordial fact is an independent kingdom of Hungary, which has allied itself for certain purposes and under certain conditions to the equally independent and distinct empire of Austria, by an act of sovereign free-will, without having ever abdicated the smallest particle of its sovereignty as an independent nation, though it has consented to exercise a small part of its governmental functions through executive organs common with Austria. If the term “concession” is to be used at all, it is Hungary that has granted some concessions, by concurring in the creation of such common organs of government ; she had none to ask for, as there is no earthly power placed above her entitled to control her, and as she is possessed of all the attributes of a sovereign nation. That Austrian empire which is supposed to include Hungary has no existence, except in false theory and in former oppressive practice ; in public law it always was, and now in fact is, a nonentity. Even the term “Austro-Hungarian empire”—what the Germans call *Das Reich*—is a false one ; and the officially used term “Austro-Hungarian Monarchy” (not a very happy because a misleading one) can be

accepted, as we shall see, only in the sense of their personal union under a monarch, physically one, but representing two distinct personalities of public law, the emperor and the king, and of their joint action in questions of peace and war ; but an objectively unified body containing both Hungary and Austria does not exist.

From the moment you have well grasped these fundamental truths, on which no Hungarian even admits discussion, it is like a falling of scales from your eyes, and everything at once becomes clear and all facts are easily accounted for.

I.

The Austrian dynasty, the dynasty of Hapsburg, was called to the Hungarian throne in 1526, after the disastrous battle of Mohács, in which the Turks annihilated the military forces of Hungary. It was the epoch of Charles V, that Emperor of Germany and king of Spain who boasted that in his domains the sun never set. His brother Ferdinand was elected King of Hungary in the hope that the power of this mighty dynasty would assist us against the Turks. But not only was there no intention of merging the old kingdom of Hungary into the Austrian domains, but the election and coronation of Ferdinand took place on the express condition that the independence of the Hungarian crown and the constitution of the

realm should remain unimpaired. That condition was accepted and sworn to by the new king ; it was confirmed by the coronation oaths of all his successors belonging to the same dynasty ; whatever practical encroachments may have occurred, this legal state of things never became altered.

During the first period of the Hapsburg rule in Hungary, which period extends to the year 1723, no sort of juridical tie was formed between her and the other domains of the dynasty, which, to simplify matters, we shall henceforth call by their later collective name, Austria. It was even impossible that such a tie should exist, because Hungary remained the semi-elective kingdom she had been, while those other domains were hereditary possessions. The connection was at this time a merely casual one, like that which existed for some time between England and Hanover.

Matters took a different aspect when hereditary right to the Hungarian crown was conferred on the Hapsburg dynasty, first on its male lineage (1686), and afterwards on the feminine descendants, too, in 1723. This was effected through the celebrated transaction known to history as the Pragmatic Sanction of the Emperor Charles VI (Charles III as King of Hungary), which, being the basis on which our present relation to Austria rests, has to be considered here with some accuracy.

The Pragmatic Sanction consists of several

instruments, diplomatic and legislative, of which the Hungarian Law I, II and III of 1723 alone has legal value and practical importance for Hungary. In that law the legislature of the realm settled the question of succession to the Hungarian throne in accordance with King Charles III's wishes by the following enactments :

1. Hereditary right to reign as kings in Hungary is conferred on the male and female descendants of the Kings Leopold I, Joseph I, and Charles III in conformity with the law of primogeniture already in vogue in the Austrian domains, to the effect that as long as the above-mentioned lineage lasts, the same physical person must infallibly reign in both countries, Hungary and Austria, with no legal possibility of division (*inseparabiliter et indivisibiliter possidenda* are the words of the law). The other collateral branches of the Austrian house have no right to succession in Hungary, though they may be possessed of it in Austria.

2. Notwithstanding that personal union, the independence of the Hungarian crown and the old liberties of the kingdom are solemnly recognised and reasserted.

3. When the above-described lineage becomes extinct, Hungary will use again her ancient right of free election to the throne, irrespective of what Austria, or any part of Austria, may choose to do in that emergency.

4. As long as this lineage lasts and the same

physical person reigns in both countries, Hungary and Austria are bound to assist each other against foreign aggression.

On analysing this fundamental transaction we must take notice of its contents and of its form.

In the contents there is nothing to take away any particle of Hungary's independence and national sovereignty. A personal tie is formed, it is true, with another country. I call it personal because it lasts only as long as a certain set of persons, a certain lineage, exists, and becomes *ipso facto* severed whenever those persons disappear. But that personal tie, the identity of the ruler, does not affect the juridical independence of the country, because that identity exists only with respect to the physical person, while the personality of the King of Hungary remains quite as distinct in public law from the personality of the Austrian ruler as it had been before ; as King of Hungary that monarch, physically one, is possessed of the limited prerogative granted to him by the Hungarian Constitution ; as Emperor of Austria he enjoyed, at the time when the connection with Hungary was formed, almost unlimited absolute power.

There is no possibility of merging into one these two prerogatives, so widely different in origin and character. To that personal tie, which only means that two different and distinct prerogatives are vested in the same physical person, a solemn

league and covenant was added, a mutual obligation to assist each other against foreign aggression.¹ Is there anything in the nature of such a covenant which should of necessity impair the independence of the nations that are parties to it? That depends wholly on the form of the transaction, on the sources from which it derives its binding character, on the forces which insure its execution. Should that obligation to mutual defence have been laid upon Hungary by a power outside her own public powers and superior to them, or should there be any sort of such superior legal organisation able to enforce its execution against Hungary's free will or to interpret its meaning in a way binding to her, then, indeed, Hungary would be no longer a sovereign nation. But of all this there is not even a trace. Hungary entered that compact of mutual defence by an act of her sovereign will, and its execution as well as its interpretation—let me emphasise this point, because it absolutely settles the question—depends entirely on her good faith and on her discretion. Neither before, nor in, nor after the solemn transaction called the “Pragmatic

¹ It is generally admitted that the Pragmatic Sanction, with all its enactments, has the character of a bilateral compact between the Hungarian nation and the reigning dynasty. Most authorities of public law hold it to be at the same time a compact between Hungary and Austria, the latter having been represented on its conclusion by her (then) absolute ruler. But as this is controversial matter, the writer, though holding the first-mentioned opinion, did not think fit to insist upon it in the text; his argument holds good on either supposition,

Sanction" will anybody be able to discover even the trace of any power superior to the public powers of Hungary, entitled to control her, able to force on her what she does not choose to accept or to do. Now this way of entering and of keeping compacts exactly answers to the idea of national sovereignty. We shall see later on that these characteristic features of our legal status suffered no alteration whatever through more recent transactions.

To give more weight to the present comments on the Pragmatic Sanction I shall quote its authentic interpretation given in a law enacted by the Hungarian legislature in 1791, after an attempt of Joseph II to subvert the Constitution. In Hungary, as in England, laws of this kind, reasserting and putting into evidence national or popular rights, generally follow practical encroachments on those rights ; their purpose is not to create but to declare law ; to this family of declaratory laws, the most celebrated scions of which are the Magna Charta, the Bill of Rights, the Petition of Rights, to that same family belongs the law which I am about to quote :

"Law I of the year 1790-1791, Emperor and King Leopold II, Article 10.

"On the humble petition of the estates and orders of the realm, his Majesty has been pleased to recognise :

"That, though the succession of the feminine

branch of the Austrian house, decreed in Hungary and her annexed parts by the Laws I and II of 1723, belongs, according to the fixed order of succession and in indivisible and inseparable possession, to the same prince whose it is in the other kingdoms and hereditary domains, situated in or out of Germany ; *Hungary with her annexed parts is none the less a free and independent kingdom concerning her whole form of rule (including therein every branch of administration), which means : submitted to no other kingdom or people, but possessed of her own consistence and constitution ;* therefore she must be ruled by her hereditary and crowned kings ; consequently by his Majesty too, and by his successors, according to her own laws and customs, and not after the example of other provinces, as is already enacted by the Laws III, 1715 ; VIII and XI, 1741."

The clear and forceful language of this fundamental law requires no additional explanation. We must now only inquire into the nature of later transactions, and see how they bear on our problem.

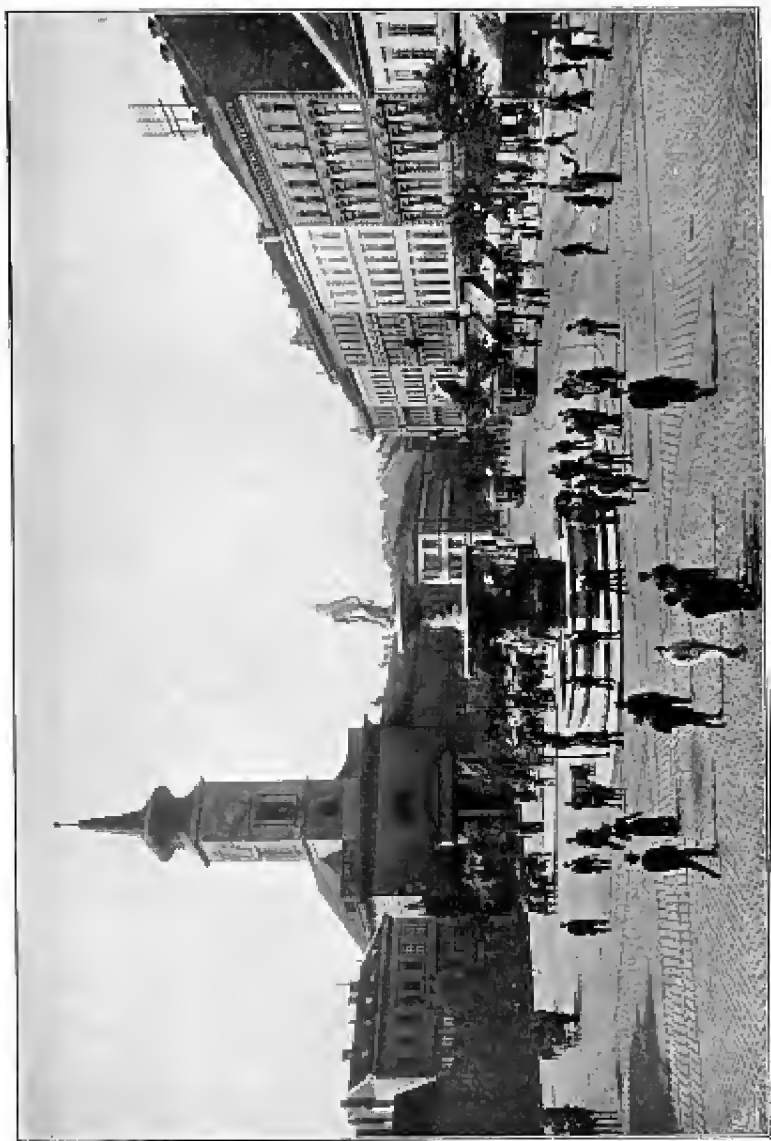
And here we are first brought face to face with a fact which, though irrelevant in itself, has wrought much confusion, and is still a rich source of misunderstandings. I mean the assumption, in the year 1804, of the title of "Emperor of Austria" by Francis I, when the "Holy Roman Empire of German Nationality" had collapsed.

Many people think that this imperial title extends over all his Majesty's domains, Hungary included, and that it represents a collective sovereignty superior to that of the Hungarian crown. The corresponding territorial idea is that of an Austrian Empire, including Hungary. Now, these conceptions are absolutely false. The new imperial title has nothing whatever to do with Hungary, it has legal existence only with respect to those other domains which, from that date, can be properly called Austria, to the exclusion of the kingdom of Hungary. As ruler of those other domains his Majesty may call himself whatever he pleases, but in Hungary the King alone reigns, and never will the time-hallowed majesty of our old Crown be merged into the splendours of a brand new imperial diadem, never will it be controlled by any fancied superior power ; Hungary never suffered mediatisation, no act of her legislature points that way, and no act of prerogative can achieve it. The title of "Emperor" is simply a collective designation for the portion of sovereignty enjoyed by his Majesty in his other domains ; in Hungary he is merely *king* ; the two titles, imperial and royal, are distinct and equal in dignity ; they designate (as my readers will remember) two widely different prerogatives, the mixture of which is hardly conceivable even in juridical fiction. It is quite as absurd to think of the Emperor of Austria as ruler of Hungary as it would be absurd to fancy the King of Hungary as

reigning in Austria or any part of it. In our public law the Emperor of Austria is a foreign sovereign.

The next striking fact is the above-mentioned legislation of 1848, which, by giving precise shape to parliamentary government in Hungary, and by making every act of royal prerogative dependent in its legal value on the signature of Hungarian constitutional advisers, made the distinction and diversity of the two juridical personalities meeting in one physical person, the Emperor's and the King's, and of the two prerogatives vested in that same person, evident to all eyes. From an abstract truth, often obscured by the practice of a system of personal government not very anxious to uphold it, this distinction became a living reality, no more to be ignored. The winning of such a practical guarantee to our national independence is, besides the democratic reform which it has effected, the immortal glory of that legislation.

War, victorious at first, disastrous after the crushing intervention of Russia, came next, followed by a period of absolute oppression, which lasted from 1849 till 1867. But all this belongs to the domain of mere fact; it in no way altered the legal continuity of the principles on which our connection with Austria rests; it did not weaken *in right* the independence of the Hungarian kingdom, though suspending it *in fact* for a time. There had been times of oppression, almost as hard



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CALVIN SQUARE, BUDAPEST.

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as this one, before ; at such times Hungary, while powerless to prevail against superior material forces, had always stuck to legal continuity, waiting patiently until a turning of the tide should enable her to bring practical reality into line with juridical truth ; but of that juridical truth she never gave up one single atom, and she always lived to see it prevail against wholesale oppression as well as against partial encroachments. 1867 was the year of one of these resurrections ; at the same time, it created new rules concerning the practice of our connection with Austria, rules which, however, left the principle of that connection—the independence of Hungary as a sovereign nation—unaltered, as a rapid survey of them will show.

2.

The celebrated transaction called the Compromise of 1867 is embodied in the Law XII of that year. In its first (declaratory) part this law fixes again the sense of the Pragmatic Sanction, as above stated, emphasising its two principles : our sovereign national independence and the mutual obligation to mutual defence with Austria. Then it proceeds to state that the fact of Austria's having been endowed with a Constitution which gives to her people the right of controlling their Government (as we control ours), makes some new provision necessary in those branches of administration

which bear direct relation to mutual defence, and in which it is, therefore, to say the least, highly desirable that the joint action of both countries should be unfailingly secured. To that end, the two great agencies of national defence—foreign affairs and war-administration—are to a certain extent declared common affairs, but in the executive sphere only, where action originates. Legislation on them (such as assenting to international treaties, framing of laws on the conditions of military service, on recruiting, etc.) is expressly reserved to the juridically independent action of both legislatures, which are, however, desired to do their best to agree on these matters. To provide for these common affairs a common ministry of foreign affairs and of war¹ is called into existence ; the expenses of these two departments are jointly to be borne by both countries in proportion to their comparative financial power—measured until now by the results of taxation of each. Both countries have equal control over these common departments, a control which they can exert through ways direct and indirect, as we shall see later on.

¹ I did not mention in the text the third common ministry, that of finance, because that high-sounding title is only apt to generate confusion. In fact, the common minister of finance has nothing to do at all with finance in the sense of a financial policy ; he is merely a cashier who receives the contributions of Austria and of Hungary to common expenses and hands them over to their respective common departments. It is merely accidental that the common minister of finance is now generally entrusted with the government of Bosnia and Herzegovina.

The common ministry of foreign affairs implies a common diplomatic service. It is not so clear up to what point unity of the armed force is implied in common war administration. Our law mentions a Hungarian army as part of the whole army, which is to be unitedly commanded and regulated as to its inner organisation by the king, in the sense of his constitutional prerogative. The somewhat oracular terms of this provision have given birth to much controversy and to some trouble lately. But one fact towers above all controversy, namely, the fact that in public law the individuality of the Hungarian army has been expressly maintained ; and this is all that need be said about the matter here, where we are considering the juridical aspect of things only.

Particular provision has been made for the annual vote on common, foreign and war expenses, and for a direct parliamentary control over the respective common ministries. Anything like a common parliamentary body being out of the question, the most natural proceeding would consist in submitting these questions to both parliaments ; but practical difficulties might arise if their vote should differ ; how could two great parliamentary bodies residing in two different countries come to an agreement as quickly as the necessities of immediate action might sometimes require ? To meet this practical difficulty select committees are annually chosen by both parliaments to the number

of sixty members each, called Delegations, and holding their annual meeting at the Emperor and King's call alternately at Vienna and at Budapest. The delegations do not sit together ; they are two separate bodies, like the mother assemblies, only more handy ones to adjust difficulties. In case of disagreement they communicate through written messages, and only when it seems impossible to settle differences through correspondence (a very rare occurrence) do they meet for a simultaneous vote, at which meeting no discussion can take place. What is then the juridical meaning of that simultaneous vote ? Is it to get a joint majority out of both bodies ? That would contradict the fundamental principle of the institution, which is no sort of common parliament, but only a channel of easier communication between the two parliaments ; the real meaning of that somewhat anomalous expedient is simply to bring face to face the two dissentient national wills and to make the more fixed one of them prevail when joint action must be secured one way or the other.

The only functions of the delegations are to fix the figures of the budget of both common departments and to bring the controlling power of both parliaments over these departments into direct action. The figures as fixed by them are incorporated into the Austrian and into the Hungarian budget. The ratifying vote of the Hungarian parliament is an essential condition of legal value to

their resolutions, and, though the parliaments cannot alter them, the Hungarian parliament at least has power altogether to reject any decision of the delegation when it thinks that the latter have gone beyond their constitutional competence. It must ever be borne in mind that the delegations are after all but select committees of parliament, committees endowed with some privileges, but still committees controlled and kept within their limits by the superior power of the mother assemblies.

Parliaments (the Hungarian parliament, at least, for the Austrian law gives greater power to the Austrian delegation than our law bestows on the Hungarian one) have, as I have already hinted, indirect means, besides the direct one, of controlling the common departments. Law and custom require the administration of common affairs, though intrusted to common ministers, to remain as to its leading principles in constant agreement with the Hungarian ministry ; the latter is, therefore, co-responsible for the general conduct of foreign and war affairs to the Hungarian parliament, which may give an adverse vote on any question touching those departments. Such a vote, though affecting directly the Hungarian ministry only, would most certainly have an indirect bearing on the position of the respective common minister, or on his policy. This indirect influence of our parliament puts it into still clearer

evidence how the common affairs and the common executive agents are anything rather than representatives of a power higher than the public powers of Hungary ; they are, on the contrary, constantly controlled by these powers and, as we shall see more clearly still, entirely dependent on them.

Several other enactments of the Law XII of 1867, which express the advisability for Austria and Hungary to agree on some matters not exactly belonging to the sphere of mutual defence,¹ I pass by here, because, being entirely optional in their execution, they can have no possible bearing on the juridical aspects of national independence. But it is now my task to analyse the institutions created in 1867, and to inquire whether they have impaired Hungary's independence as a sovereign nation, the maintenance of which we have followed out up to that memorable date.

That there is mutual dependence, in the political sense of the word, between two nations that are bound to act together in certain affairs and have created institutions to secure such identity of action, seems perfectly clear. Mutual dependence

¹ The most important of these enactments is one which provides for a Customs Union to be periodically established. It is far from improbable that in a few years that union will be dissolved and a commercial barrier rise between Hungary and Austria. Nor will this modification of their economic relations juridically affect the connection as established by the Pragmatic Sanction and shaped by the law of 1867.

of this kind certainly exists between Hungary and Austria ; we have a strong party in Hungary which objects even to this, and calls itself, on that account, the Independence party. But with this political aspect of the question I have here nothing to do. Mutual dependence between two equals depending on the free-will of both, does not affect their independent juridical individuality, in the case of a nation, that nation's sovereignty. That would be impaired only in the event of the nation being incorporated as a part into some larger body, or controlled by some legal power superior to her own public powers. Now, is this the case of Hungary since 1867 ?

The question put in these terms is negatived by the very nature of the transaction which we are examining. We call it a Compromise, and such it is, politically speaking. Hungary, before creating the Law XII of 1867, ascertained in a proper way that it would settle the difficulties pending with the dynasty and with Austria as common good sense required her to do. But as to its binding force this celebrated law is no treaty, like the Pragmatic Sanction, but simply a law like any other law, liable to be abolished or changed at Hungary's uncontrolled pleasure. It is immaterial for the purposes of our present investigation that we should certainly think the matter twice over before tampering with that particular law : that is the *political* aspect of the question ; *legally* the

whole machinery of common affairs and common ministries can be destroyed by an independent act of the Hungarian legislature, with which nobody has a right to interfere. Now I ask, how can institutions which depend in their very existence on the sovereign will of Hungary represent a power superior to her, or controlling her? They are not even a new tie between Austria and Hungary, for the simple reason that Hungary is not tied by them. Matters are left, then, exactly as they stood after the Pragmatic Sanction; an independent and sovereign Hungarian nation has entered into personal union with Austria, and both countries are bound by solemn compact to assist each other against foreign aggression.¹

Though this settles the question, let us consider the common institutions in their activity, and let us inquire whether they represent, while existing, some fragment at least of an imperial establishment, of that *Reichsgedanke* which certain Austrian and German authors are striving hard to discover

¹ The writer lays no particular stress on the much-debated question whether the union between Austria and Hungary is to be called a personal or a real union, because he considers this as a question of terminology rather than as one of real consequence. In agreement with Deák he calls it a personal union with an additional covenant of mutual defence, because the *principle of the union is merely personal*; it is, as we have seen, *ipso jure* dissolved, when a certain set of persons (the lineage entitled to succession in both countries) becomes extinct. The really important aspect of the question lies in the fundamental juridical fact that the independence and sovereignty of the kingdom of Hungary remains unimpaired in that union.

in them ; an establishment including both Hungary and Austria, superior to their public powers and, let us say, provisionally controlling them to a certain extent. What constitutive elements of such an establishment can be found in the machinery set up by the legislation of 1867 ? In what does that fancied empire really consist ?

It has no territory ; there is a Hungarian territory and an Austrian territory ; Austro-Hungarian territory there is none, as has been declared by a resolution of parliament, when dealing with an inaccurately worded international treaty.

It has no citizens ; there are Hungarian citizens and there are Austrian citizens, the two citizens' rights being not only distinct, but widely different in the legal conditions of acquiring and losing them.

It has no legislative power ; we have seen that even in common affairs legislative acts are expressly reserved to both legislatures ; we have further seen that the delegations have no legislative power, and are, even in the sphere of their competence, nothing like *Reichsvertretungen*, "imperial representative assemblies," as the said authors sometimes like to call them, but simply select committees of both parliaments, called into existence for purposes of easier communication between them, and working under their constant control.

It has no judiciary ; questions arising between the two countries must be settled, if agreement is

impossible, by international arbitration, as was done in a boundary question two years ago.

But it seems to have at least an executive, and there our opponents exult. What are the common ministers if not some embodiment of a common, of an imperial, executive power? I own to standing aghast at such a profundity of science. Common ministers, then, should represent a common, an imperial, executive power! Now, let us pass over the queer aspect of an empire-like settlement, possessed of no other attribute, no other public power, but that of an executive; let us pass over the little sleight-of-hand trick which must be performed imperceptibly to glide from "common" (which supposes two parties at least) into "imperial" (which means one); and let us simply state that even a common executive power does not exist, cannot exist, between Hungary and Austria. There are common ministers indeed, but in what constitution of the world is executive power vested in ministries? We find it everywhere among the constitutional attributes of the first magistrate, subject to more or less restrictions, but vested in him, having its real existence personified by him, ministers being merely his agents, though they may be necessary agents, agents designated by the constitution. In Hungary, executive power is vested in the king; in Austria in the emperor; now, as we have seen, the King of Hungary and the Emperor of Austria, though meeting in one

physical person, are two distinct personalities in public law, every part of their prerogative being distinct and generally different. The King of Hungary can only be invested with the executive power of Hungary, the Emperor of Austria with the executive power of Austria; no third personality of public law, no sort of imperial first magistrateship has ever been conferred on his Majesty, nor does such a personality, I presume, evolve out of nothing by a sort of *generatio equivoca*, spontaneous growth. So there exists no person in whom such common, or imperial, executive power could possibly be vested, just as there is no source from which it could be derived, even to float in the air. What are, then, our common ministers? They are simply common agents of both executive powers, Hungarian and Austrian, for those branches of government in which both executives should act together; they are ministers of the Emperor and the King, to assist his Majesty in those acts through which he simultaneously exercises both his executive prerogatives, imperial and royal.

And let me emphasise again that the whole machinery of common affairs and common ministries must act in constant agreement with the Hungarian ministry, under the constant control (direct and indirect) of the Hungarian parliament (and Austrian of course); that it can be blown up at any moment by a short law enacted by the Hungarian legislature; and let me ask again, where

can you find in those institutions, dependent on the public powers of Hungary in every moment of their action, in every second of their existence, even the shadow of an imperial establishment superior to Hungary, controlling her to any extent ? Truly, that phantom of an "Austrian Empire," taken in the sense in which it should include Hungary, reminds me of the old German proverb about a knife without a blade, the handle of which was missing.

3.

Should I have succeeded in making all this as clear to my readers as it seems to me, they will quite naturally ask me how truths so evident came to be obscured, and contrary impressions to be almost generally prevalent throughout the world, and they may further inquire about the bearing of such a connection between Hungary and Austria, as between two sovereign nations, on the international situation of either of them separately or of both taken jointly. Of these two questions I shall try to answer the second one first.

That Hungary taken separately has a legal personality in international law, stands above doubt ; it simply follows from her being an independent kingdom, "not subject to any other kingdom or nation," as the above-quoted law of 1791 puts it. But since she is bound to Austria by a



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KARÓCZI-UT, BUDAPEST.

Divide

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covenant of mutual defence, and since the law of 1867 has declared common affairs "those foreign affairs which affect the interests of both countries," meaning those which bear direct relation to national defence, Hungary (as well as Austria) has for the time being disabled herself *by her own law* to act separately in international matters of that kind ; she has, with respect to these matters, for the time being, renounced the separate use of her personality in international law, and must, in all cases of such nature, act jointly with Austria.¹ The permanent potentiality of that joint action, the union of the two nations for that purpose, is called Austria-Hungary, or, since their ruler is physically one monarch, the Austro-Hungarian monarchy, though that term, as being apt to misinterpretation, is not very felicitously chosen and will probably fall into desuetude. Austria-Hungary, then, as is shown by the double term itself, does not mean one empire, but the permanent union of two nations

¹ This is how the matter stands in the terms of the Law XII of 1867, but even should that law be abolished or altered and the whole machinery of common affairs and common ministries be superseded, the obligation to mutual defence founded on the Pragmatic Sanction, which is a bilateral compact, would none the less subsist so long as the present dynasty lasts, and the foreign affairs of both countries would have to be conducted with constant regard to that obligation. How this could be insured under such altered circumstances is a question of practical expediency which we need not discuss here. Some new scheme might be devised, or the guarantee contained in the physical identity of the monarch, whom both constitutions invest with an efficient prerogative in foreign affairs, might be thought sufficient for the purpose. At all events, contrary to a widespread and artificially fostered opinion, the European system of powers would remain undisturbed,

for certain international purposes. In all international affairs not belonging to the sphere of national defence (such as railway conventions, extradition treaties, copyright conventions, etc.), the international personality of Hungary not only can, but must, act separately because with respect to them there is no union with Austria, and, therefore, their joint action cannot even be juridically constructed, except on the grounds of some *ad hoc* convention between them. In fact, some treaties belonging to this category have been concluded jointly by "Austria-Hungary," but this was done by an inadvertence which is not likely to occur again.

It may be difficult practically to draw a precise boundary line between the matters in which the international personality of Hungary acts separately, and those in which, as long as the present law remains effective, she can act only in connection with Austria ; but juridically the distinction exists, and Hungary has availed herself of it in several international treaties which she has independently concluded, and even where joint action is necessary it is not the action of one empire (which, having no substance, is hardly capable of action of any sort), but the joint action of two. Being bound to such joint action in certain matters, the union of these two constitutes one great power ; because what is power but potentiality of action ?—in our case of joint action. But it is not necessary to

invest that great power with a juridical personality of its own ; the fact that it represents a permanent obligation of two personalities to act jointly in matters of peace and war, answers to all requirements, theoretical and practical.

We can easily see now the chief source of the erroneous views generally prevailing about the legal status of Hungary. Our country usually appears in joint international action with Austria, she has a common representation with her ; these facts are apt, by themselves, to spread a false impression, which could be prevented only if the forms of such joint action and common representation clearly indicated, as they ought to do, the two sovereignties which, acting in conjunction, are possessed each of their own personality.

Unhappily this is not the case. In former times the unification of its domains (Hungary included) into one empire has been the constant aim of the dynasty. That aim could never be realised, owing to the firmness with which our forefathers insisted on their independence ; but wherever they failed to keep a close watch, wherever prerogative could escape their control and find an opening, some fragmentary appearance of such an unified empire was called into existence. This could be achieved with the greatest ease in foreign affairs, the administration of which was almost entirely left to the king's discretion, and to some extent in army questions, where much debatable

ground existed, and still exists, between prerogative and the rights of parliament. Of these opportunities the dynasty availed itself to the largest extent ; while forced to reckon with the idea of Hungarian independence at home, it gave an entirely pan-Austrian character to diplomacy and to all foreign action. That lasted for two centuries at least, and fixed the impressions of foreign opinion in a direction that can be modified only through impressions of an opposite kind working on her for a considerable time. Unhappily, not even now can we point to a complete concord between what appears to the eyes of foreigners and what the relations between Hungary and Austria legally are. A wholesale reform of those misleading forms in foreign (and to some extent in military) matters has not yet been effected, though it has begun and will no doubt be completed in a time the length of which depends on the degree of forbearance with which the nation thinks fit to tolerate these last comparatively trifling but obstinate remnants of bad times. Why there should be such remnants at all, which can do no possible good to any one or to any cause, but only serve to irritate and to prevent the growth of perfect confidence and harmony, it is not my business to inquire here, where public law and not politics is my object.

But anxious as I am to keep to that distinction, I must still conclude with an allusion at least to

the political side of my question. I should not like to be misunderstood. My strong insistence, my whole country's strong insistence, on her national independence, does not in the least imply a will or a wish to break away from Austria. We mean to keep faith to the reigning dynasty ; no nation in its dominions is more absolutely reliable in that respect ; we mean loyally to fulfil our compact of mutual defence with Austria ; in a word, what our forefathers agreed to as being obligations freely accepted by Hungary, we mean to adhere to, as honest men should. All we want is that equal faith should be kept with us, that those equally binding enactments of the Pragmatic Sanction, which make Hungary secure of her independence as a sovereign nation, as a kingdom, *nulli alio regno vel populo subditum*, as the law of 1791 puts it, should be fulfilled with equal loyalty.

To such a complete national existence we have as good a right as any nation on earth, not on grounds of formal legality only, but because we are conscious of having creditably fulfilled our mission as a bulwark of Western civilisation and of liberty. We do not see that this mission is ended, nor do we see how it could be fulfilled, should that organic force of our peculiar national mentality and constitution be missing, should that force which stands unshaken after trials before which stronger

empires have crumbled into dust, give way to artificial combinations and mechanical contrivances.

We are, then, only faithful to the supreme law of our destinies when upholding the banner of national independence with unflinching firmness of resolve.

CHAPTER III

LAW AND JUSTICE IN HUNGARY

By DR. ANTAL GÜNTHER, Minister of Justice

MUCH has been said and written about the resemblance in the evolution of English and Hungarian law. Such comparison is inexact as to detail, but, at the same time, throws real light on the chief phases of their development. England and Hungary were the only countries in which a *common law* prevailed during the Middle Ages, when particularism got the upper hand in almost every other part of the Continent. This curious fact is due to the geographical situation of both countries, England being surrounded by the sea, Hungary to a great extent by high mountains and at that time by semi-civilised peoples. To the existence of a common law might be attributed the fact that a formal reception of Roman law did not take place in either of the two countries. No particularism, therefore, arose in Hungary, and, as in England, feudalism did not develop in the form and to the extent that it reached elsewhere on the Continent.

The lower nobility, who correspond to the "free-men" of Magna Charta, were placed immediately under the king. There is only one estate of nobility, the clergy being noble by their office, the magnates by their dignities, and the free towns by fiction of law. Consequently the prevailing law of the country was that of the nobility. The history of the development of the law until 1848 shows a constant effort to extend these prerogatives to the lower classes of the population.

The great bulk of the law consisted of customary law (*municipalis consuetudo*), which was fully ripe for codification at the end of the fifteenth century. At this time it happily found a legislator, who, as Tennyson says—

"Mastered the lawless science of our law,
That codeless myriad of precedents,
That wilderness of single instances."

This man was Stephen Verböczy, a chief justice of the country, who systematically unified both custom and statutes, having in view the protection of the interests of the nobility. Verböczy's *Tripartitum Corpus Juris consuetudinarii inclytæ regni Hungariæ* (first ed. 1517) was intended to become a code. In spite of the approbation of parliament and the enacting clause of the king, the death of the latter prevented its promulgation. The great value of this work consists in its having been achieved at a time when the formal adoption of Roman law would otherwise have been inevitable. Though

after the disastrous defeat at Mohács in 1526 the Hungarian realm was divided into three parts, owing to Verböczy's work the law remained one. His merit is not only that he has reduced the customary law to a written form, but that at the same time his book serves as a starting-point for the literary treatment of Hungarian law. As to the influence which the *Tripartitum Opus* exerts at the present time, it might well be compared with Blackstone's Commentaries.

Some parts of the civil law, as in other states of the Continent, had attained toward the end of the Middle Ages a far more advanced stage of development. The legal status of woman in Hungary was even in the thirteenth century considerably advanced. She could dispose even in married life of the most important form of property, viz. real estate ; she was able to be the independent guardian of her child, and owned a most extensive right of inheritance. As regards the rules of descent we find, as already in English law in the thirteenth century, the right of representation (*successio per stirpes*), which was acknowledged much later in other Continental systems of law. The inheritance was divided equally among all the sons. The prerogative of the eldest was the custody of the documents relating to the family property ; that of the youngest consisting in the possession of the ancestral home. The right of primogeniture is unknown to Hungarian law, the conception of

entailed estate being introduced only on the accession of the Hapsburg dynasty.

As to the civil law, statutes were of far less importance than common law. The former contained rules of criminal law and procedure established under foreign influence. The legislative autonomy of the counties and towns which began in the fourteenth century was instrumental in the development of the law. General custom, however, had the preponderating influence, and was even able, up to 1848, to invalidate statutes. It was only Turkish rule which was the hindrance to the full development of such a procedure. It stopped the growth of economic and industrial life in the fourteenth and fifteenth centuries to such an extent that the resources of the country sank, in the sixteenth century, to the level of primitive agriculture. The inalienability of property, by which the Crown and noble families were bound, was the consequence of this agricultural organisation of the country. As long as a member of a family is alive, the property remains in the possession of the family, and only in the last resource does it devolve upon the king, who can vest it only in a noble family. Absolute ownership of land, unless in the hands of the Crown, is unknown to Hungarian as it is to English law.

At the commencement of the sixteenth century Hungary fell under the rule of the Hapsburgs. Only the nobility could counterbalance this foreign

authority, for the peasant was at the lowest stage of development, and the cities were at this time considerably estranged from the national life. From the point of view of independent national existence the conservation of the nobility became therefore a necessity. Its power could be maintained only by the system of serfdom, the unfree tenants (*jobbágyok*) receiving a holding as wages for the work done for the landlord.

The influence of Western culture on our law system is particularly noticeable towards the close of the eighteenth century. Just as the rising sun first illumines the crest of the mountain and only later the lower slopes, so the court and the higher classes were the first to be permeated by the spirit of enlightenment. It was the Emperor Joseph II who tried by absolute means to pave the way for the democratic transformation of our legal system, but his efforts were rendered futile by national opposition. In the last decade of the eighteenth century it was the estates themselves who tried to initiate reform by constitutional means. Special committees were appointed, but their work, owing to political changes, was without result. The political struggles of the democracy during the first half of the nineteenth century achieved the task of modifying the fundamental principles of our law. By 1848 the old feudal law had been changed into a common law for all citizens. Of first importance in this change was the enfranchisement of landed property.

The old bonds between the landlord and the tenant were dissolved, but the former was guaranteed compensation by the State for the loss of the latter's obligations.

In 1867 a new period of development begins. The old Hungarian law could not adapt itself quickly to the requirements of modern conditions. The hasty nature of our legislation at this time shows this and excuses the codification of our law in the last decades of the nineteenth century on foreign models, and the adoption of many foreign laws, these latter however in an essentially revised form.

In the building up of our legal and judicial system the principle prevailed that men rather than measures are wanted. In ancient times in Hungary, as in England, the king took a personal part in the administration of justice, the creation of itinerant judges facilitating his judicial duties. Next to the Curia Regis, which developed out of the judicial power of the king, there existed courts for noblemen, and the landlords' courts for the tenants. The judicial power of the landlord was removed in 1848, whereas in place of the courts for noblemen state courts were introduced only as late as 1871. This acquisition of the courts by the State tended towards the democratising of justice, hitherto largely impossible owing to the local influence of the nobility.

The chief of judicial affairs is the Minister of

Justice, who exercises administrative control only, and has no influence whatever over law-suits. He has the right of decision only on matters allotted to him by Act of Parliament. Thus affairs relating to the supervision of judges, legal redress in international affairs, especially extradition matters, the execution of punishments, matters of pardon, dispensation in cases of divorce, and particularly the preparation of bills, fall within his province. Although the Minister of Justice is chief official organ in judicial administration, nevertheless the judge, after his appointment by the king, enjoys perfect independence, and is irremovable. Only a Hungarian citizen of more than twenty-six years of age and of good moral character, and, moreover, knowing the language of the court, and having passed the legal examinations, can be a judge. The salary of the judge varies, according to the rank of the court and the place of his employment, between £160 and £500, but it can be raised, as in the case of the chairman of the Curia, to £1200. As courts of first instance there are 385 district courts with single judges, and 67 county courts with collegiate judgeships. Both can give judgment either in civil or in criminal cases, but the jurisdiction of the former in civil matters extends only to cases not exceeding a sum of £50, whilst in criminal cases the punishment given by them cannot go beyond one year's imprisonment. Most of the district courts are combined with the registries for lands, whereas

the county courts serve as courts of appeal from the district courts. Notwithstanding the great number of judges of first instance—there are in Hungary 2119, not including Croatia, which enjoys judicial autonomy—their task is an arduous one. The annual average number of cases falling to the judge of a district court was last year 2338, whereas a judge of a county court had on an average 962 cases in the year. Nevertheless, in the district courts more than 80% of the cases were finished in less than three months. As superior courts, we have the eleven “Royal Tables” (Courts of Appeal) and the Curia (High Court of Justice) in Budapest, the first containing in all 200 judges, the latter 92.

The rules of court are codified. Civil procedure is regulated by the Consolidation Acts of 1868 and 1881, whilst summary procedure was codified in 1893. Law costs are less than in England, the litigation *in formâ pauperis* being at the same time bound by fewer conditions. The fact of the different nationalities in the country is taken into account and the services of a considerable number of interpreters are made use of, the judges themselves being required to know the language prevailing in their jurisdiction.

As regards criminal procedure our Code of 1896 resembles more the English pattern than that of any other country in its principles: it is a rooted constitutional principle, that pursuit of the guilty

must be combined with the utmost caution not to accuse or to implicate the innocent. The arrest of the accused is carried out on specified conditions and his rights in trial are the same as those of the public prosecutor, who presents the charge before the court. Nobody can be compelled to procure evidence against himself. Serious crimes, punishable with more than five years of imprisonment, or political and press offences, are tried by a jury, whereas the court itself decides the bill of indictment. The rights of the counsel for the defendant are sacredly guarded through all our criminal proceedings. In the rare event of a judicial error, indemnity is granted by the State to the sufferer.

Convinced of the truth of Bentham's dictum that "he who has been the least successful in the composition of a code has conferred an immense benefit," we have made several efforts in Hungary to compile a *civil code*. In 1896 a standing committee was formed for this work. The Draft Code is to-day in the last stage of its preparation.

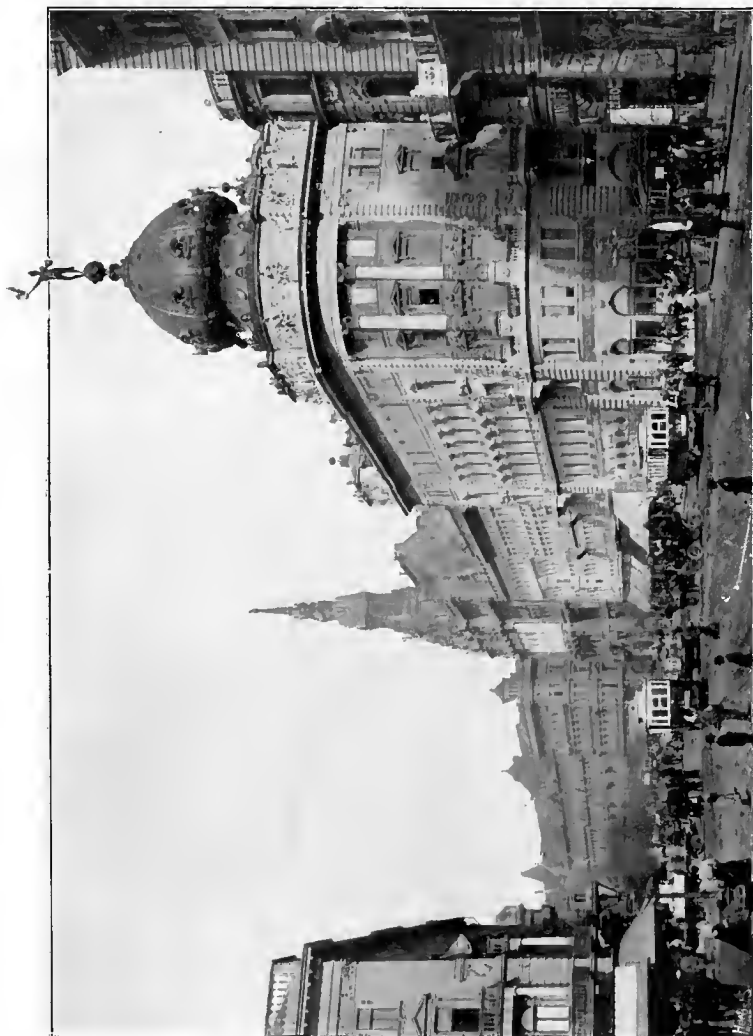
The most characteristic parts of Hungarian civil law are the laws relating to married women's property and inheritance. A married woman has absolute authority over her property. Two principles govern the law of inheritance : (1) full provision for the widow : (2) the preservation of the family fortune.

Whereas family law and the law of inheritance

have national characteristics we find that the general law of property resembles that of other Continental countries, which fact is due to international intercourse. The law of real property is based upon the Austro-German land registry system, according to which acquisition or loss of rights can only be established by registration on the local register. As regards the law of contract and torts, practice is adapted to the Continental system, *bona fides* being the fundamental principle of every contract. Even the most modern conceptions have found their way into our law, as, for instance, that of objective responsibility in dangerous trades. We have preventive measures against the exploitation of economically weaker parties, rental restrictions, etc. As to the lower grades of labour, there are compulsory measures to regulate the conditions of work.

The law of family relations is based upon the system of obligatory civil marriage (Act of 1894), a system which includes the State registration of births, marriages and deaths. As to the relation of parents and children, and guardian and ward, official control is exercised by a special magistrate.

There are numerous special laws for the regulating of particular relationships. The Commercial Code of 1875, the Bill of Exchange Act of 1876, the Co-operative Societies Act of 1898, the Bankruptcy Act of 1881, deserve to be mentioned in this connection. All these laws tend towards the



Photo

THE ELIZABETH RING, BUDAPEST.

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increase of trade by securing equality in intercourse. The rise of modern commercial enterprise has been, in Hungary as everywhere else, accompanied by abuses, the removal of which is the task of the law. To accomplish this end a Bill against unfair competition and a Bill against fraudulent transfer of shops are at present under consideration.

Unlike our civil law, the criminal law was codified as early as 1878. Our penal code is acknowledged to be one of the best in the world. Lacking the excessive rigour of the codes of the Napoleonic period, it has greatly contributed towards social security. It recalls in its main principles the liberal *régime* in which it was produced. Von Liszt, the famous German scholar, called the penal code the Magna Charta of the criminal; but it is more than this: it is the Magna Charta of every citizen and the bulwark of public liberty. No deed can be punished in Hungary unless this deed be declared punishable by Act of Parliament. The penal system rests mainly on imprisonment and fines, capital punishment being admissible only in the case of murder and high treason; corporal punishment does not exist. Our prison system is the only one in Europe which has continued and developed the progressive system of Sir Walter Crofton in Ireland. Quite recently, also, the Borstal system has been adopted for the treatment of juvenile criminals. But this system only obtains in Hungary. It is therefore a mistake

to maintain, as Tallack does in his valuable work on Austria, that this great empire has made successful efforts to develop a graduate system of prison discipline. In Austria there is not at present even cellular separation. In Hungary imprisonment is generally combined with forced labour, and in all our penitentiaries, eleven in number, there exists a system of prison industry, so managed by the State as to prevent competition with free labour. In fixing the measure of punishments, both as to their kind and their quantity, the judge has great freedom, and in the case of extremely extenuating circumstances he is not bound to the legal minimum.

What our penal system has already accomplished is shown by the fact that whereas the number of convicts under penal servitude amounted in 1889 to 7000, it hardly reached 5000 in 1906 in spite of the increase in population.

Anatole France says in his *Opinions de M. Jérôme Coignard*: "The interests of justice are sacred, the interests of the offender are doubly sacred, but the interests of society are thrice sacred." To-day, whilst we do not forget the effective protection of society, we are seeking in various ways to serve the best interests of the offender.

Thus an Act recently passed was actuated by the principle of all modern criminal law, that prevention is better than cure. For the benefit of first offenders and juveniles it contains the essential regulation of a probation system. It

does not of course go as far as the English Probation of Offenders Act of 1907, but it provides that judges shall not as a rule pass sentence of imprisonment on the accused, when under eighteen years of age, but shall deal with the juvenile offender as he considers best under the circumstances. Amongst methods of dealing with such offenders the reformatory treatment takes a prominent place.

There are in Hungary five reformatories, capable of training 1000 boys and girls. The age limit of reception is from the seventh to the eighteenth year. Every institution has a director and an educational and training staff. In establishing the reformatory system the Ministry of Justice worked on the principle that every crime is the joint product of the offender's character and of his environment. If, therefore, we wish to save the child who is on the downward path we must, on the one hand, alter his character by personal influence, and on the other take care to prevent his slipping back into that environment which has led him to the commission of crime. The first necessity, therefore, is individual training, with a view to the complete realisation of the child's personality. For this purpose family units of twenty are formed with the teacher as family head, under whose guidance the juvenile remains during the whole period spent in the institution. The tuition and training are carried out informally. The family head not only gives lessons, but goes with the

children to the workshop, the garden, etc., encourages them in their work and takes part in their games and amusements. His duty is the constant observation of their faults and the endeavour to eradicate them by rousing the pupil to useful action or restraining him by reproof and punishment. No corporal punishment, however, is permitted. When the training is finished, the pupil, able to earn an honest living for himself, is lifted to a higher social position. The industrial training in our reformatories has been raised to such efficiency that a pupil can acquire complete instruction in many of the best trades. In the reformatories at Aszod and Kassa industrial schools have been fitted up at the head of which are placed fully trained engineers and foremen. At Aszod there is a coach-building school, at Kassa there are carpentering, leather and textile industries, their products having gained first prizes at home and international exhibitions. Besides industrial training, intensive gardening and viticulture are carried on in the reformatories.

In addition to this great care is taken to develop the pupil's intelligence as well as to foster true religious feeling. Pupils usually spend four years in a reformatory. When real improvement is apparent they are placed in suitable positions outside the institution. The National League for the Protection of Children takes care of such pupils and through appointed protectors watches them and

helps them in cases of need. If a pupil behaves badly he is sent back to the reformatory.

According to returns covering the last twenty years, 69% of the pupils discharged were of good conduct, 11% variable, and 10% bad ; the remainder were unknown or dead. This result can be considered as highly satisfactory, and proves the usefulness of the system, a usefulness fully acknowledged by distinguished criminologists.

CHAPTER IV

TAXATION REFORM

By ALEXANDER WEKERLE, Prime Minister

THAT theory of taxation which would lay the public burdens on the lower classes, while the higher classes remain entirely exempt or only bear a small share—a theory dating from the Middle Ages—is now, in Hungary, superseded by that of universal and equal taxation.

The idea of equality before the law was the basis of our civil and criminal law alike, and when political equality was introduced, it could not fail to exercise an influence on taxation. But this great idea applied to taxation could not stop at establishing a mathematical equality only; it must also take into account the personal capacity of the taxpayer in bearing the public burden.

This latter principle cannot be applied to taxes on food. It is evident that certain food-stuffs of superior quality are liable to be ruined by a too high tax. Nevertheless, so far as these taxes are concerned, the degree of capacity of the taxpayers cannot be computed except in a secondary manner; on the one hand, because food-stuffs cannot be

classified according to the capacity of the taxpayers ; on the other, because the amount of these objects to be consumed vary not according to the capacity of the taxpayers, but rather according to the needs of their material existence.

The part played in the modern Budget by taxes on food has only tended further to augment the disproportion shown in direct imposts—a disproportion which, in the proper sense of the word, does not exist, except in accordance with the capacity of the taxpayers. It has been still further increased by the fact that food taxes (the most productive imports) injure articles of first necessity, used more by the lower than by the leisured classes.

The ever-pressing needs of the State, together with the desire to do away with disproportion in taxation, have created the necessity of striking at the whole income of the taxpayer (besides imposts on commodities) without consideration as to its source. The application of this principle has required that, on the one hand, this impost should not be invariable, but that it should vary in accordance with the income of the taxpayer ; on the other hand, that those objects of first necessity, which may be reckoned as “the minimum of existence,” should remain exempt from all taxation.

The same tendency of equalisation is shown in the case of a number of more or less educated members of one family where a certain part of their income is exempt, while large incomes based

on capital are submitted to a more onerous imposition so far as this is possible.

Though stability and tradition offer, in matters of contribution, incontestable advantages, it is certain that the principles we have laid down do more or less indicate the direction of reform in taxation—in some States already accomplished, whilst in others only as yet contemplated—and it is these same principles that have inspired taxation reform in Hungary, a Bill for which is now before Parliament.

Up to 1848 the nobility of Hungary were exempt from taxation, and only took part in certain indirect contributions which weighed heavily on the population, such as those which resulted from the Customs and the Salt monopoly. There were no other imposts for the nobility, and the indirect taxes were paid by serfs and citizens.

In return for this exemption from direct taxation the nobility, in the event of war, had to provide military service at their own expense; the landed aristocracy were held by the oath of the *banderium*; and the higher clergy, who enjoyed the same privileges as the nobility, had to contribute to the *banderium* as well as to the expense of fortifying the frontiers.

This war-oath, which in the troubled times of old represented about the equivalent of the immunity from taxation, in course of time lost its importance, as the *banderium* and war-levies were

replaced by a standing army. The *banderium* of the nobility soon came to be rarely required, and since 1810 it has played no part whatever. As a consequence, the nobles' complete immunity from taxation commenced at that time and lasted until 1848.

The Hungarian Legislature of that year decreed the abolition of serfdom, and conceded to proprietors a reasonable compensation which—being paid by the public Treasury and not by the serfs—was equally borne by all the taxpayers. The Legislature at the same time laid down the principle of obligatory and general taxation; and in 1850 that system was introduced the essentials of which obtain in our own day.

With regard to indirect taxes, besides the Salt tax and the Customs, the tobacco monopoly was created, also a tax on wine, meat, alcohol, beer and sugar, stamp duty and registration duty; imposts different in form, but as regards their object as nearly as possible conformable to the French mode. Later there were taxes on petroleum, transport, hunting, and the use of arms.

With regard to the sinking tax, each cultivable piece of land is assessed on its net produce; a survey is made, and on this the income from each piece of land forms the basis of the assessment. As to house property, the net income therefrom serves as the basis of the tax, in such wise that the tax is levied according to the rents of occupied houses; as to

unoccupied houses, the assessment is made on the comparative valuation of their sites.

Besides direct imposts, the proceeds of real estate are taxed, being raised accessorially from rural property and from that which the sinking tax had been unable to reach ; incomes from capital, from annuities, mines, all earned incomes in public offices, as well as the incomes of societies and co-operative associations, are also taxed. A supplementary tax on income has likewise been imposed.

With the single exception of the tax on buildings, assessed not according to the rent but according to the number of inhabited houses, the amount of all these direct taxes is fixed in proportion to the income therefrom. The amount of the sinking tax reaches 25·5% (in the former military confines to 17·1%) ; that on rents and on buildings assessed by site valuation from 12 to 17·6% ; that on mines from 5 to 7%, whilst other direct taxes amount to 10%.

The smaller earned incomes are only lightly taxed ; a fixed tax is put on servants and other persons in analogous positions ; the same on workers, an exception being sometimes made in favour of single day workers.

Persons taxed in respect of property or capital are subject to a *private* tax of from four to ten crowns, besides the tax on their income from these possessions.

Further, a small tax is levied according to the



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ELIZABETH BRIDGE, BUDAPEST.

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members of the family capable of earning their own livelihood, viz.:

- (a) on the above-mentioned taxpayers,
- (b) on the taxpayers taxed according to the incomes from their professions, and
- (c) on those who enjoy only a small income but are liable to some form of direct tax.

Those who pay this direct tax, however, in connection with official appointments are exempt.

This tax of four to ten crowns, added to the fundamental fixed taxes, has the character of a capitation tax.

Such a system of taxation taps all the available sources of the State, and therefore realises the idea of the *community* of public burdens ; but it must be confessed it does not solve the question of their *equality*, since distribution is not based absolutely on the capacity of the taxpayers.

This lack of proportion is further accentuated by the fact that the communes can levy accessory taxes (over and beyond the direct taxes), these being raised on an average to 40% of the direct taxes. However, local needs differing very greatly, certain communes, wealthy enough and capable of supplying their own needs from their own revenues, levy no accessory taxes, while in other communes these supplementary taxes amount to 70 to 80% and even, in some cases (though rather rarely), to 100%.

In order to eliminate this disproportion, richer

countries (as, for instance, Germany) have given over to the communes taxes on real estate so as to meet local needs.

The financial situation of Hungary does not permit us to act in this manner, and the right of the communes to levy supplementary taxes cannot be abolished. Other means are, however, taken to relieve the communes, and these tend to diminish the necessity for levying accessory taxes. Thus the State is charged with the appointment of secretaries and joint-secretaries of the communes, and at the present time a Bill is being prepared by which the salaries of these officials will be paid partly by the State. Moreover, the revenues of the communes will be augmented by their sharing to a greater degree in the taxes on food-stuffs.

This lack of proportion in our system of taxation is resented chiefly by the smaller businessmen. The chief cause of their dissatisfaction is the tax of from four to ten crowns which is levied on taxpayers in respect of real estate, buildings, and income from capital. It indeed very often happens that this impost exceeds the sinking tax and even the tax on buildings. Another complaint is against the tax which mulcts the taxpayer according to the number of his family; and especially against the impost paid by servants and workers. It might be said generally that those taxes which are in the nature of a capitation tax have been the objects of the keenest criticism.

The recent Bill for the reform of taxation meets all these difficulties. It abolishes the tax which, as well as the sinking tax on property and that imposed on capital—*i.e.* taxes established on real bases—has been put upon earned incomes. Next, it abolishes the tax on members of the family, also that on servants and workers. Henceforth these will only contribute when the total of their annual income exceeds the amount exempted from taxation as “the minimum of existence,” but in that case they will only pay the smaller impost on income. It should be observed that this latter cannot serve as a basis for the accessory imposts of the communes.

The essential provisions of the proposed reform are as follows :—

In the first place, it seeks to reach unearned incomes ; in the second place, it subjects to contribution the whole income of the individual, without considering the diversity of the sources of the income taxed. Thus it will increase the imposition upon unearned incomes as opposed to incomes which cannot be collected except through the person of the individual taxpayer. This measure was drawn up partly on account of fiscal considerations, for only such a system of taxation can produce the required amount, partly also for technical reasons, since it makes the distribution as fair as possible.

It would not be expedient to go beyond these proposed limits in favour of the equation of the

burdens on incomes of various kinds ; for, on the one hand, the most abundant resources of the State would be compromised thereby, and, on the other, it would be acting contrary to the principle that capital, under whatever form it appears, should be relatively more burdened than purely personal earnings. But technical considerations also render it expedient not to go beyond the present effort in estimating the burdens to be placed on the different kinds of income, and especially as to the charges on landed and personal property. Indeed, the most striking fault of our system of taxation consists in the impossibility of discovering incomes arising from personal property; we could however hardly be expected to discover these by merely proposing increased taxes.

Our present system of a sinking tax on landed property may still be preserved in its essential characteristics in accordance with which the basis of assessment is the probable average return of the land, supposing it to be cultivated in the ordinary way. The transition in our present economic conditions doubtless causes important changes in this probable average ; the worst defects, therefore, of the present system ought to be corrected and the most glaring inequalities eliminated. But this is no reason for going so far as to tax the actual income derived from cultivated land ; for it is precisely this actual income from land that should always serve as the basis of the tax on private

income. The amount of contribution from certain property-owners will, therefore, be increased. It would be both superfluous and useless to wholly reconstruct the present government survey for the assessment of the land tax : superfluous, because preparatory work has already demonstrated that the defects are far from being so serious as to justify such prolonged and expensive proceedings ; useless, because, considering the continual change in our social conditions, it is evident that the complete elimination of inequalities in proportional valuations cannot be accomplished.

The main point in such a reform is that its execution be chiefly based on the whole personal income of the taxpayer, and it would be an absurdity to engage in costly and lengthy operations in order to effect a more equalised distribution of the sinking taxes; for in face of the many variations in one taxable material it is evident that these operations could only, at the best, secure a temporary equality of contribution.

Thus the legislature should be satisfied with correcting the most glaring defects, and should endeavour to restore equalised distribution by discovering a just basis for the taxation of private incomes.

The Government survey for the assessment of land tax should, however, be revised on two points. Firstly, the survey should now, and for the future, be kept posted up in all the changes relating to the

culture of the soil ; next, striking disparities in the classification of land should be remedied, and such alterations should include, if necessary, a reform in the graduation of net incomes.

With regard to the tax on house property, it will be first necessary to eliminate the disproportions between the tax on rent and the tax on houses,—this latter being based not on the site value, but, in accordance with a fixed tariff, on the number of rooms inhabited. With this object in view it will be necessary to subject to the general tax on rent all really urban districts, many of which now escape it : but, *per contra*, considerable alleviations are projected as regards the tax on rents.

The impost on mining enterprises now in force will be abolished, and these taxpayers will be merged with those who pay tax on professional earnings.

The general tax on incomes will, on the same principle, affect earnings resulting from professional enterprise, whether industrial, commercial, or otherwise, if, however, these earnings are not derived from State appointments. Thus in the future our system of taxation will be based on the income, which makes it possible to exempt the “minimum of existence” from taxation.

The middle of last century witnessed the abolition and the exemption from taxation of the privileged classes ; the principle of *civil* equality

succeeded in establishing general participation in public expenditure. In our days, the principle of *social* equality now so commonly admitted, justifies the conclusion that mere mathematical equality in the proportion between income and taxation does not necessitate the exact distribution of the burdens of taxation, but is only a transitory phase leading to the apportionment of a sacrifice required of all true citizens. This is the ideal that all true reform of taxation seeks to realise. The social principle, which is gaining more and more force both in society and in all branches of legislation, demands its place in our system of taxation.

But however much one may be convinced of the necessity of a just distribution of burdens according to different capacities, one must remember the impossibility of securing proportional exemption in the case of the "minimum of existence." The application of the principle of increased assessments in accordance with the increase of income is equally impossible.

The proposed reform endeavours to meet these two points ; by fixing a progressive income tax, raising the assessment from 0·7 to 5%, and by granting exemption from this impost to incomes limited to the "minimum of existence"—*i.e.* those not exceeding 600 crowns (£25). We must be satisfied with this minimum under present conditions, especially considering that the reform of our system of taxation will cause a considerable



SUSPENSION BRIDGE, BUDAPEST.

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diminution in the receipts of the State, and that other countries do not recognise such a "minimum of existence."

The rates of taxation have been fixed as follows : uncovered land, 20% ; house property, 9 to 17% ; interests and annuities, 5% ; professional incomes partly dependent on capital, 5% ; professional incomes entirely earned, 4% ; all enterprises which render public accounts, 10%—except mining enterprises, which pay 7 or 5% ; and the progressive income tax, 0·7 to 5%.

The sinking tax on uncovered land seems to be the highest ; but if we take account of statistical data collected at great labour for several years, proof is forthcoming that the average rent is double that at which the lands are assessed, and consequently the sinking contribution hardly exceeds 10% of the actual income from such lands. Yet it must be observed that these data only refer to fair-sized estates, the rents of which are comparatively high ; also that the actual income from these lands tends constantly to increase, which results in an actual decrease in the assessment.

It cannot be denied that, in comparison with this impost, the tax on house property, 9 to 17%, may be much more onerous. Nevertheless the latter is rendered tolerable, not only by the natural stability of the return from houses, but also by the relative certainty of that return, a return which has evidently a tendency to increase. It must also

be observed that, under present conditions, this tendency to growth will more or less outweigh the falling of this tax on the tenant.

The progressive character of the income tax, viz. from 0·7 to 5%, corresponds to those accepted by nearly all foreign States. It goes without saying that the graduation and disposition of the tariff have not been accommodated to the conditions of foreign countries, but exclusively to those of our own country.

To the financial bodies belong only the preparation of Bills and the right of proposition ; the right of decision is reserved to commissions composed of citizens of the first and second degree. The last appeal belongs to the Administrative High Court.

The most important point in this reform is the unification in the administration of all the public burdens. All the contributions, both to the State and to the counties—*i. e.* the city and parish taxes—will be administered together. They will be inscribed on the same schedule presented every year to the taxpayer. The payment will be made collectively; it will be the same in the matter of appeal, and this procedure will considerably simplify the administration.

The reform Bill is, of course, open to some adverse criticism. One cannot, it is true, consider the form in which it will be presented as definitely fixed. This must be the subject of much discussion ;

but its fundamental provisions should be put into operation without alteration. A definite increase in the amount of the "minimum of existence," and the reduction of certain minimum assessments, are the points on which discussion will probably turn. Whatever the solution of the problem may be it is certain that the State will have to meet considerable loss during the long transition period.

CHAPTER V

HUNGARIAN INDUSTRIAL LABOUR LEGISLATION

By FRANCIS KOSSUTH, Minister of Commerce

THE industrial system of Hungary is of comparatively recent date, and this fact has had a decisive influence upon the labour conditions of the country and upon the legislation referring thereto. Two circumstances had a marked effect upon the movement for industrial labour legislation in Hungary—the rise of the labour movement and the beginning of workmen's insurance.

Almost from the start of the factory system our larger business concerns have encouraged the establishment of insurance offices to render assistance in case of death, illness, or accident ; and, where none such existed, they have in many cases assisted voluntarily the workmen or their families.

These insurance—or “money offices”—came into existence in 1841 ; in greater numbers in the fifties and sixties, and in still greater numbers in the seventies.

Still more significant was the formation, in 1870, of the General Workmen's Sick and Incapaci-

tated Aid Pay-office. This pay-office, after the first ten years of its existence, comprised 16,219 members and property of the value of 49,288 crowns. Its members were drawn from workmen employed in the metropolitan as well as those in provincial factories. Special Sick Aid Unions sprang up for the benefit of railway servants: in 1890 there were thirteen of these. The State set a good example by subsidising similar sick aid pay-offices in connection with its tobacco factories. Besides these, several union pay-offices existed which assisted members in cases of sickness, and many others began providing burial aid. The foundations of a system of workmen's insurance were thus securely laid.

The beginning of the labour movement in Hungary was the founding, in 1873, of the Labour Party, which, however, was dissolved by the Government. On the 16th and 17th of May, 1880, a labour congress was held in Budapest during which the movement was newly organised under the name of the Hungarian General Labour Party. The party, however, at first had but slight success. Some impetus was imparted to the movement by the Paris Congress of 1889, and it began in 1890 to gain ground, developing definitely in the direction of the tenets of Marx.

The growth of the labour movement had a great effect upon Hungarian public opinion, and the idea began to prevail that the Government

must take energetic steps in the interests of the workmen. Thus it was that Government took up the question of workmen's insurance, treating it on the model of the German system of obligatory insurance. Upon this basis, by the terms of Law XIV of 1891, it regulated sick aid for factory and industrial employees. All those employees working at occupations coming within the Industrial Law, in mines, forges, or other concerns working up mine products ; in quarries, in sand gravel and clay producing districts ; in the larger buildings, in railway works, in post and telegraph offices, in navigation and shipbuilding ; in carting and transport ; in warehouses and commercial establishments—must belong to some sick aid organisation if their pay does not exceed four florins (6s. 8d.) per day or they are not engaged for a shorter time than eight days.

The wage is the standard upon which the contribution is based, and this amounts to two or not exceeding three per cent. of the wages paid. Two-thirds of this contribution must be paid by the employee and the remainder by the employer, who is responsible for the punctual payment thereof. In view of this the sick aid organisations must provide the subscriber with medical help gratis for a period not exceeding twenty weeks, and in case of accouchements with the necessary assistance and medical treatment, together with medicine and money for sustenance. In case of death twenty times the amount of subscription is to be given as

burial aid. The sum for sustenance may not exceed seventy-five per cent. of the wages calculated upon the basis of the amount of contribution. Sick aid may not be prolonged beyond one year. Only the assured members of any family may partake of free medical aid and medicine.

The law differentiates six kinds of sick aid organisations :—(1) district organisations, upon which the most stress is laid; (2) those of employees of businesses and factories: such include commercial organisations; (3) those of building employees; (4) of industrial corporations; (5) of mine; and, finally (6), the sick aid organisations established by private bodies.

The establishment of so many different kinds of such organisations was a disadvantage in so far as it led to the weakening of their financial position, which had never been very strong. The greater number of the organisations were constantly struggling with financial difficulties. Not only were they unable to meet payments above the minimum prescribed by law, but very often the minimum itself was paid with the greatest difficulty. Those district organisations which were spread over many parishes were unable to discharge their obligations over their whole area, and very often limited their sphere of activity to the chief centre and one or two of the larger towns, so that as far as most parishes were concerned sick aid scarcely existed. Another great disadvantage was

that, as a direct result of the insufficiency of their finances, these organisations were not in a position to engage expert assistance in the conduct of business. This rendered the booking of subscriptions and the giving of aid very difficult, and not infrequently led to great confusion in the affairs of the organisations.

For these reasons the reform of sick aid procedure could be no longer delayed, and was carried out by Law XIX of 1907. In consequence of the before-mentioned defects the chief feature of this reform is the centralisation and national organisation of sick aid. The Workmen's National Sick Aid and Accident Insurance Society created by this law makes for centralisation in so far as it maintains the sole direction of sick aid matters throughout the whole land. Side by side with this society the law set up the State Workmen's Insurance Office, the duty of which it is to superintend the aid organisations and their functions. The law recognises as local bodies only the district and business sick aid organisations, ignoring the other classes enumerated above. By this means the new law seeks to secure the finances of the two recognised classes of organisations. As regards obligatory insurance, the law widens its sphere: it not only extends it to such occupations as fall within the Industrial Law, but also to all employees in concerns carried on on industrial lines. The law even extends this obligation to occupations not

of an industrial nature or to the employees of the same, if these occupations be of such a nature that the employees by reason of the temporary nature of their work or of the wage conditions cannot (from the point of view of public health) be left out. As to contributions, this law did not touch the maximum nor minimum limit already in force. Essential innovations, providing for the mode of computation or the ratio of payment of the subscriptions, however, appear in the law.

The General Central organisation found it no longer possible to compute the subscriptions for sick aid upon the scale of the actual wage. It was, however, necessary to determine *classes* of daily wages, and the local branches therefore classified individual workmen according to the actual wages they were receiving. The law fixes the ratio of subscription, as between employer and employee, at half and half as against the former ratio of one-third and two-thirds respectively. It appeared unnecessary to embody in the law provisions relating to the increase of subscriptions since the General Sick Aid and Accident Insurance organisation may legally, within the limits of its own jurisdiction, so far as circumstances allow, increase the amount of aid to the maximum allowed by the law.

Former laws specifically forbade the incorporation of accident insurance with sick aid in one organisation, and, as results proved, rightly so, since

the sick aid organisations even as such could not fulfil all their duties. This creation of an Accident Insurance formed the most important innovation of the new law. The amount of contribution is settled by this law in accordance with the aid rendered. The costs of the State contribution must be paid by the employer, who is also principally liable at civil law for damages for accidents occurring in his works. The basis of the contribution—leaving intact the principle of reciprocity—is the different degree of danger of industrial work, which is determined by a system of danger classification. *Sick aid* lasts for ten weeks only, and during this time the workman receives medical treatment, all medicine and other medical appliances necessary for his treatment. Beginning from the eleventh week the aid is the same, but it is charged to *accident insurance*.

Compensation is effected by the law upon the principle of proportion. This works out in such a way that the workman receives 60% of his annual income if, as the result of accident, he become unable to work. In case of partial disablement he receives such proportion as corresponds to the degree of incapacity. The law has organised accident insurance upon the same principle of centralisation as obtains in sick aid. Both the National and State organisations have extended their activities to insurance against accidents. Till

the introduction of this law only the prevention of accidents was considered. With reference to this the Industrial Law and later Law XXVIII of 1893 arranged matters thus :—

The employer was bound to provide and keep in order every safeguard necessary for the preservation of the health, soundness of limb and life of his employees—*e. g.* in matters relating to safety of premises, working of machinery, etc. The law laid down in detail what special arrangements must be made in these directions. It further provided that accidents occurring upon the factory premises must be notified within forty-eight hours.

Another important law relating to factory legislation is Law XVII of 1884, which contains thorough provisions as to hours, intervals, wages, and ages of workmen employed. What specially affected apprentices was that the minimum age-limit has to be twelve years. Apprenticeship must be effected by written contract before an Industrial Authority of First Instance. Apprentices under fourteen are restricted to a maximum work-time of ten hours daily. For apprentices of fourteen years of age the maximum number of hours is twelve daily, including hours of school attendance. Intervals of half-an-hour at times before and after noon and of a full hour at noon must be granted. And generally, they are to be employed only upon such work as is not beyond their bodily strength. Apprentices under sixteen are, as a rule, not to be



Photo

FISHER BASTION, BUDAPEST.

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employed upon night-work—*i.e.* between 9 p.m. and 5 a.m. In such industrial concerns as would suffer if night-work were restricted, it may be allowed by the Industrial Authority, having due regard to the physical development of the apprentice between the ages of fourteen and sixteen, but only for half the time of night-work. This law, moreover, provides for schools for apprentices.

In addition to prescribing preventive measures in the interests of the health and the life of the workmen, it also contains the following provisions *re* hours, intervals, and wages.

Employment of children under ten is forbidden. Children between the ages of ten and twelve may be employed only by permission of the Industrial Authority. Such permission may only be given if regular school attendance be possible along with the employment, or if, in accordance with the requirements of the Education Board, due care has been taken by the mill-owners to provide for the education of such children by the erection of special schools. Children between the ages of twelve and sixteen may be employed for eight hours at most in factories. Between the ages of fourteen and sixteen, the maximum number of working hours in factories is ten. The above arrangements respecting the night-work of apprentices are also applicable to young workmen. In works reported as “dangerous” or “unhealthy,” workmen under sixteen years of age are

either absolutely prohibited from working, or are allowed to do so only under certain conditions ; and in any case they may be employed only in such work as cannot injure their health or hinder bodily development. Ministerial regulations state which branches are to be considered unhealthy or dangerous. Such regulations further fix precisely the nature of the employment permitted, and the hygienic arrangements to be made. For instance, Order No. 24,929 of 1898 lays down the preventive arrangements to be carried out in match factories using white phosphorus. Women are exempt from work for a period of four weeks following accouchement. As to work intervals the law provides for half-an-hour interval at some time both before and after noon, and for one hour at noon. In works going day and night the manufacturer must see that night-workmen are properly relieved. Day-work may not be begun before 5 a.m. nor continued after 9 p.m. Wages must be paid in cash and, failing agreement to the contrary, weekly. The employer may not allow his men credit for goods nor spirits, but, if so agreed, he may provide them with lodging and firewood, and give them the use of land, provide suitable food, medicine, and medical attendance, and may deduct the value of such from the wages. Under the same condition he may also provide the workmen with tools and materials necessary for the production of articles made in the factory, if, according to

contract, the workman must himself furnish these.

Demands for payment for such articles as are debited to workmen, but forbidden to be sold to them on credit, may not form the subject of legal action.

For the recreation of workmen at least one day per week is assured by Law XIII of 1891, which lays down that on Sunday and on St. Stephen's Day (the greatest Hungarian Holy Day) industrial work must cease. Exceptions refer merely to the work necessary for cleaning and putting in order business premises and their appointments. The law further empowers the Minister of Commerce to decide by order as to what classes of industry need continuous working, either because stoppage is impossible or because general traffic, or the food necessities of the public demand it, or military or other State affairs really require it. In such industrial branches work may be continued even on holidays. The Minister of Commerce is further empowered to lay down the conditions upon which workmen working without assistance or apprentices, and working in their own homes, may be exempt from these rest intervals. But even in the cases cited above Sunday rest must be granted to workmen alternately. By virtue of these powers the Minister of Commerce was in many cases obliged to suspend the rest intervals at the request of interested parties, and the great number of orders referring to this question made such confusion

that, in 1903, the Minister considered it necessary to qualify the regulations and to enumerate the exceptions permissible. The question was not, however, finally settled, and a new and more extended regulation of Sunday rest is on the cards. The revision of the laws relating to protection of workmen has, in consequence of their number, become unavoidable in Hungary. The inspection of factory premises was already provided for by the old law of 1872, which compelled the Industrial Authority to have the factories upon its territory examined by its nominees at least once a quarter. They had also to satisfy themselves that the provisions of the law were carried out. The Industrial Law of 1884, as shown above, contains many-sided arrangements for the protection of workmen ; it is, moreover, the most important law dealing with factory legislation, laying great stress upon the carrying out of social-political measures contained therein ; not only has it repeated the regulations germane to this subject contained in the law of 1872, but in order that it may be more effectually carried out it has also provided that reports upon the results of factory inspection must be made to the Minister of Commerce at least once a year. The confidential nominees of the Industrial Authority on whom the duty of factory inspection devolved by the terms of the law did not give satisfaction, so that the Minister of Commerce was obliged to take over the supervision of industry.

At first three persons of technical training were thus employed. These, together with the Council entrusted with the supervision of industrial affairs, inspected the factories of the country and drew up a very instructive report based upon their experiences. This report contained the first detailed description of the condition of the home-workers. The number of industrial inspectors increased as the circumstances demanded, and correspondingly the country was divided into inspectors' districts added to from time to time as the inspection became more rigorous. At present there are 36 such districts. For the better control of industrial inspection a supreme board of supervision was organised in 1897, whose function it is to direct the business of inspection ; the inspection of the districts was at first carried out from the centre and the industrial inspectors were attached to the Ministry of Commerce whence they set out upon their district tours. This method, however, could not long continue, as it made the work of inspection exceedingly inconvenient ; in consequence of this the decentralisation of industrial inspection became unavoidable, and this was carried out in 1898. Since then the industrial inspectors have resided in their districts, and with the aid of the officials attached to them can far more easily and thoroughly fulfil their duties of inspection.

Beyond seeing that the law is carried out, with the right of summoning and reporting to the com-

petent authorities, the industrial inspectors have no executive powers. Notwithstanding, within this sphere their activity is considerably felt. They have important duties in connection with industrial accidents, also the removal of dangers threatening workmen during the performance of their work; it is their duty to call the attention of employers to their obligations in this direction.

Industrial inspectors, further, play an important part in settling conflicts between workmen and employers, as, in their capacities as emissaries of the department, they conduct peace negotiations and endeavour in every way to settle such conflicts by holding the balance fairly between workman and employer. In this direction their work has of late very considerably developed, as strikes in Hungary have increased in number. Thus, for example, the Chambers of Commerce and Industry report that the strikes within their districts have ceased to be looked upon as extraordinary occurrences, which is, of course, only tantamount to saying that Hungary is becoming industrialised. Although we have not such old and well-established trades organisations as exist in England, yet, combinations are being formed here, and it may be hoped that, if the industrial inspectors exert their influence aright, the number of strikes will in future be diminished by their exertions. In the complete regulation of conditions of work, wages and hours

of labour must first be considered. In some branches of industry a few classes of workers have obtained a working day of even less than 9 hours. For instance, in the book-printing trade, compositors working linotypes had, in 1905, received an 8 hour day. Cartographers work $8\frac{1}{2}$ hours, slaters and tilers 8 hours in winter and $9\frac{1}{2}$ in summer. The working time of stove tile-setters is likewise variously ordered, viz. 7 hours in winter and 9 in summer. Generally speaking, in those branches regulated by collective agreement the 9 and $9\frac{1}{2}$ hour day is everywhere in vogue. More than $9\frac{1}{2}$ hours working time is nowadays only to be met with in the clothing trades and in some isolated factories, but even here endeavours to effect a reduction of hours are making themselves felt, and may be realised through an extension of the workers' organisations. As to wages, these naturally cannot reach the amount customary in England, since the value of money is far greater here than in England, yet compared with the earlier conditions considerable progress is to be noted. The minimum wage of a skilled workman is 2 korona 50 filler (2s. 1d.) per day, as, for instance, in the case of harness-makers. Usually they are higher, beginning with 3 korona (2s. 6d.) per day. In several industrial occupations—*e. g.* iron and metal workers, glaziers, paviors—wages vary between 3 and 6 korona. In the more highly skilled trades wages fluctuate between 4 korona and 6 korona. In collective

agreements, regard has also been had to overtime, and usually to the payment of night and Sunday work. Thus the position of the worker in Hungary, in keeping with the spirit of the age, shows great improvement, and he may look forward to further improvements in the future.

The conditions of workmen's dwellings have hitherto been rather bad. For this reason the Legislature has held it necessary to intervene in this direction and to promote the erection of healthy dwellings. This is the object of Law III of 1907, which assures permanent exemption from taxation to the workmen's dwellings built by employers, as well as to dwellings enjoying exemption under the Act of 1870, which were given to the workmen rent free: though these were allotted in part payment of wages, provided such houses answer sanitary requirements in every way.

Such workmen's dwellings as will, after a certain time, pass into possession of the workmen by payment of the purchase-money in instalments, are also assured of exemption from taxes for twenty years by this law. In Hungary numerous social and political reforms will be on foot in the immediate future. We have already mentioned that the revision of the law concerning Sunday rest is imminent. The Government, indeed, is now hard at work upon a revision of the whole industrial and factory system which will result in important changes in legislation.



CLOTHILDE BUILDINGS, BUDAPEST.

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Wider development of Hungarian social-political affairs will also be urged by the International Labourers' Defence organisation, which, partly by international agreement, partly by its branch office in Hungary, will exert great pressure upon the Government to such end. Amongst international agreements already made Hungary has given its adhesion to the provision prohibiting night-work for women, but has not yet consented to the clause as to the working up of white (yellow) phosphorus used in the manufacture of matches; the acceptance of such, however, may be hoped for upon good grounds, as the greater part of Hungarian match-factories have already prepared for the manufacture of matches without the use of phosphorus.

The future is thus full of promise, and we may confidently look forward to results of increasing usefulness from our industrial labour legislation.

CHAPTER VI

THE STATE AND AGRICULTURE

By ANDREW GREGG

AGRICULTURE is the principal, almost the only industry in Hungary. According to official statistics agriculture provides a living for 68·4% of the whole population, to which could be added a considerable number of the casual workers and domestic servants, forming 5·6% of the population. Thus directly or indirectly agriculture supports nearly three-fourths of the inhabitants of Hungary.

This is a very different state of affairs from that which obtains in Great Britain. But the difference is still more marked if we take into consideration the methods of farming. In England the general rule is tenant-farming, whilst farming in Hungary is mostly done by the proprietors themselves. Of the total area of farming land no less than 82·09% is farmed by the proprietors, and only 17·19% by tenants.

This being the case the *personnel* of our agriculture is quite different from that of English

agriculture. We have many more gentlemen farmers, on the one hand, than there are English yeomen, and, on the other hand, we have a very large number of small holders. At the same time, we have no tenant farmers, and we badly miss this class, which, with its superior intelligence, higher education, and more business capacity, makes such a prominent feature of English agriculture. Our gentlemen farmers—taking them as a whole—are inferior in business capacity and oftentimes in agricultural knowledge, whilst our small holders are lacking both in agricultural knowledge and in capital. On the other hand, bailiffs, stewards, foremen and farm labourers are much more numerous in Hungary than in England.

Of the whole area of Hungary 94·77% is productive land, nearly 31 million of hectares¹ out of the total of 32½ millions. Deducting the forests—mostly on the hills (91 million hectares),—nearly 70% (13 million hectares) is arable land; from the rest meadows 5·4, grazing land 4·1, gardens 0·7, vineyards 0·23 million hectares. As is evident from these figures, Hungary is one of the most fertile lands in the world, and one of the best countries for agricultural work, arable land being its chief asset.

This land is divided in very nearly equal pro-

¹ Hectar = 2·471 acres.

portions between small, moderate and large proprietors. The figures are as follows :—

	Aggregate number of farms	% of the whole	Aggregate number of farms in hectares	% of the whole
Dwarf farms (0-5 acres)	1,752,523	52.23	1,767,523	6.15
Small holdings (5-100 acres)	1,371,273	36.89	11,574,826	48.77
Middle-sized farms (100-1000 acres)	25,797	0.74	3,399,764	12.22
Large estates (over 1000 acres)	3,977	0.17	7,737,040	31.19

It will be seen that the large estates include practically all the forest land, whilst the arable land is much more in the hands of the smaller proprietors. On the other hand, dwarf farms include a considerable number of gardens and vineyards, which do not exactly cover the idea of agricultural farming. Roughly speaking, the small holders (including dwarf farmers) own more than half of the arable land of the country, the rest being divided between large estates and middle-sized farmers. As in every other country, the proprietors of moderate-sized farms are in the most precarious condition. It is unnecessary here to analyse the reasons for this lamentable fact, but statistics, as well as everyday experience, show a serious falling off in this very valuable class, and it is this class which is the very backbone of the political and social life of our country. It supplied the leaders in the struggles for religious and political freedom after the Reformation, struggles which have lasted for more than four hundred years. It upheld the

tradition of independence and national glory, and made many sacrifices for the sake of the country.

There have been several unsuccessful attempts to arrest the decay of the yeoman class, but economic forces are working against us, and it seems that we must witness year by year a reduction in their numbers, wealth and influence.

The increase in the number of small holders, as well as that of the property in the hands of the titled gentry, is very marked indeed. The last few years have been marked by progress in the former direction. The material advance of the small owners, who have been much helped by American money, has been mainly responsible for the fact that large numbers of middle-sized farms changed hands and became small owners' property. Public administration has interfered in this process, for a special kind of swindling became rife. Unscrupulous agents made huge profits by buying land under its real value from the debt-ridden yeomen, and selling it at exorbitant prices to the smaller men, exploiting their excessive land-hunger. Such transactions meant the ruin of the buyers in the long run. When already nearly 300,000 acres had been bought and sold by such middlemen the Minister of Agriculture felt himself justified in interfering. This intervention has become a recognised system. The Board of Agriculture sends out its commissioner—if asked to do so—to

give advice to sellers or buyers as to the value of the land, as to the economic possibilities of the subdivision, and helps them to carry through the financial part of the business on the right lines. But this is all. During the last four years more than 200,000 acres came into the hands of small owners in this manner through the friendly intervention of the State. Nobody can deny, therefore, that this interference was not only justifiable, but under the circumstances absolutely necessary.

Small tenancies are not popular in Hungary, and there is not much competition for this kind of farming. Only in the last few years has there been a movement to introduce a system of co-operation. This system was successfully started by the central co-operative credit organisation in Roumania, but it is in fact not a co-operative *farming*, but only a co-operative *leasing* organisation. The responsibility towards the landlord is shared between several tenants, but when the agreement is signed, the land which has been leased is subdivided, and each person proceeds on his own responsibility. This is perhaps a good method of keeping men on the land, and it is certainly a practical way of letting land to small men, but it is very far from co-operative farming, which has not yet been tried in Hungary. My personal opinion is that farming is too complex a business to conduct on co-operative lines, unless there be a strong personality to guide it to success. Such a

strong ruling power is to be found amongst the South Slave horse communities (*Zadruga*) in the person of the eldest woman in the family, in the chief man of the Russian "Mir," and the chosen leaders of a real co-operative farm only to be found in highly educated agricultural countries.

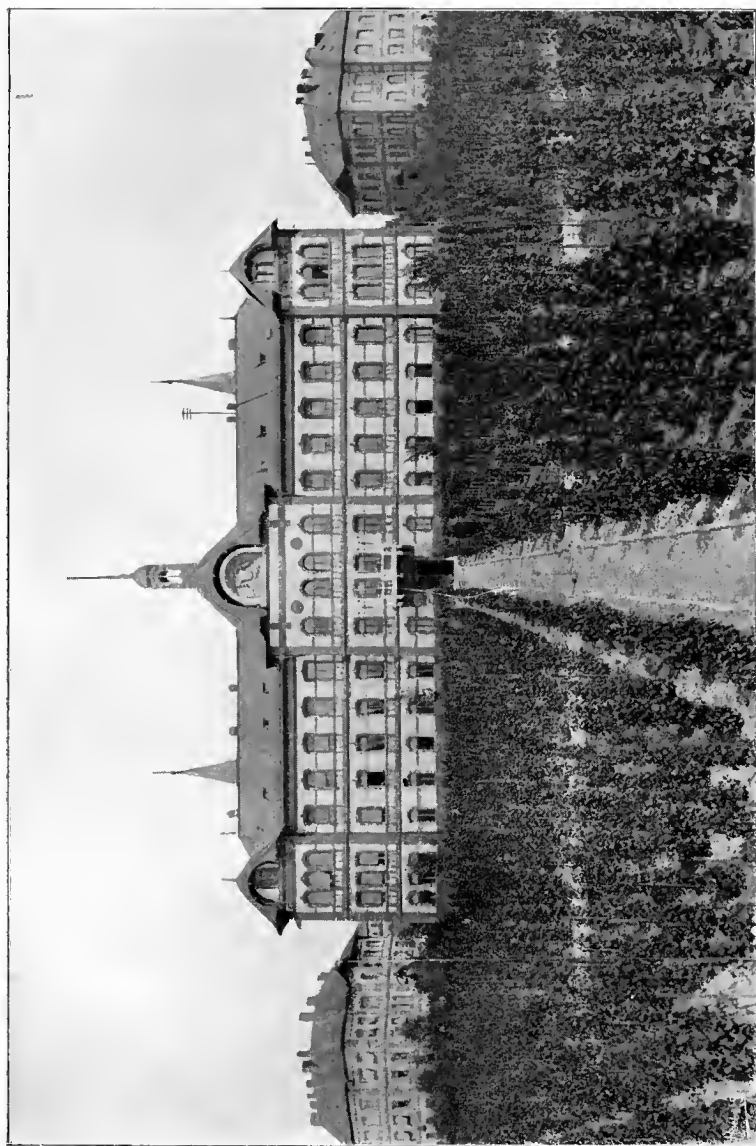
Nor does the English trial of the small holding system prove the contrary. England's tenant system is too universal, too ancient, and the legal, and still more the customary regulation of all questions between proprietor and tenant too firmly fixed, to be followed by any other country having a different system of land tenure. There is also another difficulty. If the small holding and allotment system is regarded (as it was regarded by the late Lord Salisbury) in the light of a bulwark against socialism, the experiment is of absolutely no use to any country where proprietary rights are separated from tenant rights. On the contrary, the farmers' interests would certainly coincide in the long run with those of the socialists. This would be the case undoubtedly in Hungary, and from this point of view, the Irish system, introduced by Mr. Wyndham's act, would be much more sure of securing a proper development in our country than would Earl Carrington's Act. I will not deny the strong disadvantages inherent in the proprietary system. These disadvantages are too evident in Hungary. If the new small holder have full proprietary rights, naturally in many cases he

cannot resist the temptation of selling, mortgaging or subdividing his land. This danger is very real to-day in Hungary. We cannot go so far as Mr. Wyndham's Act has gone in controlling the new proprietor.

As in every other country, where the small proprietor system is introduced, this is the great difficulty to be solved by wise legislation. Our own legislation before its cardinal revision in 1878 sought to control the proprietor's rights of selling, mortgaging and subdividing exactly on the lines of the present Irish system. The fundamental changes of 1878 made the farmers absolutely free, and this freedom continues until this day. The experiences of other countries have made themselves felt in Hungary too. The selling of land often gives to foreigners and aliens an opportunity for usury generally practised by these aliens, while the subdivision of the land into such small portions made reasonable agriculture absolutely impossible. Remedies for this state of affairs are now looked for along two different lines. Some are anxious to curtail the proprietary right, to narrow down the inheritance in land to the first-born son, a kind of entail system (*Anerberecht*), or to exempt the homestead from forced sale on the American plan, or even to fix, as is proposed in Germany, the limits of the undefined. Others, again—allowing free disposal—rest all their hopes on co-operation in agriculture, both in credit, selling and buying. At

the same time, both parties are pressing for more efficient education in agriculture, the dissemination of literature, and the making of model farms.

Small holders—whether proprietors or tenants—cannot prosper without a far-reaching system of co-operation. Hungarians are taught to appreciate this axiom. The remarkable lack of agricultural co-operation in England is quite intelligible. English farmers, as a class, do not need it so badly as we do. The English farmer has, generally speaking, besides his capital and business capacity, the market close to his hand ; he is not obliged therefore to go to middlemen for his money for buying and selling. Our small holder's case is quite different. In most cases his market is far away. Individually he cannot reach it, nor has he any opportunity of knowing at first hand the requirements of the consumer, who is, in the last instance, the dictator of what shall be produced. Middlemen therefore are needed. The middlemen are really the indirect masters of his labour and capital, and the further away the farmer is from the central market, the heavier is this economic yoke on his shoulders. In Hungary it is absolutely necessary for the very existence of the small holder, that there should be some kind of agricultural organisation. Any improvement which has been made in the position of the individual small holder in late years, is the direct or indirect consequence of this organisation.



Photo

ANTHROPOLOGICAL INSTITUTE, BUDAPEST.

Dial

[*Vo face p. 266.*

The country is now covered by a net-work of co-operative societies. All these societies have their separate organisation and central offices. There are more than 2000 local banks of the Raiffeisen type, nearly 1000 co-operative stores, 700 co-operative dairies, several large organisations for agricultural buying and selling on co-operative lines, two big co-operative banks for the issue of mortgage bonds, etc. One of the most interesting features of this movement is the marked unity of the men engaged in it, and this notwithstanding the differences of race, religion and politics. This co-operative movement—largely the work of the late Count A. Károlyi, one of the wealthiest and most enlightened leaders of Hungarian agriculturists,—is practically self-supporting. The only State aid given to it is in the form of some subscriptions to the share capital, which the State, as the largest landowner in the country, could not reasonably refuse. Otherwise the movement is quite free from State interference. The crowning of the work will be the Association, which is now being formed by all societies holding the co-operative principle, and which will be a real union of Hungarian agriculture.

Besides the co-operative movement, there are some other agricultural organisations, chiefly for educational purposes. They are for the most part of two types: on the one hand, there is the National Agricultural Society, which is just as old as the

Royal Agricultural Society of England, and is concerned, like her English sister, with the technique of agriculture; on the other hand, there is the Hungarian Farmers' League, which—like the Central Chamber of England—serves the political ends of the agricultural world. Unlike the English organisation the Hungarian Society groups and represents all the Hungarian local agricultural societies (there is generally one in each county), which are in close connection with their respective county authorities; and the Farmers' League, after the German model, is the centre of agricultural politics, supported by more than a thousand local farmers' clubs and farmers' reading societies. Those who are not satisfied with the present influence of agriculture on legislation and administration are just now engaged in drafting a Bill for obligatory agricultural chambers, on the German pattern. It is undeniable that the agricultural interest, notwithstanding the recent revival, is still very much neglected in comparison with what ought to be the case in an agricultural community.

Passing now from the farmers themselves to the farm servants and agricultural labourers, there can be no question but that their lot, until within the last few years, was a very miserable one. The principal merit of Mr. Darányi's work as Minister of Agriculture is, that he took a keen interest in this question, and was successful in most of his

liberal endeavours to brighten their life. He not only greatly forwarded the agricultural labourers' reading clubs (now numbering about 2000 in the country), thus helping them to help themselves, but he passed several Acts of Parliament in order to improve their material conditions. He organised a Labour Bureau, which has its local branches in the parishes, its head-quarters in the county halls, and a very efficient central office at Budapest ; he passed an Act for organising a system of old age pensions for farm servants, by which, in return for a small yearly contribution from the labourer (the tax being one penny a week), and a compulsory contribution from the employer, the labourer is insured against sickness, accidents, and old age at sixty-five years old. The Exchequer is directly responsible for any obligations of this fund. By another Act passed only last year, a grant of a yearly sum of £12,500, for a period of thirty years, was made for the building of houses for agricultural labourers ; with the co-operation of the local authority this Act makes possible the erection of about 20,000 dwelling-houses, and its working has a direct and encouraging effect upon private enterprise. These dwelling-houses, generally speaking, are in a very miserable condition throughout the country, and even on the larger estates are far from what they should be.

Several Acts have been passed to regulate the legal relations between farm employers and their

labourers. The principle common to all of these Acts is to restrain the employer from taking undue advantage of the weaker position of the workmen before the agreement, and to protect both of the contracting parties when the agreement is signed. The Farm Servants Act of last year provides for the legal security of both contracting parties, as the general custom of the country is a yearly engagement for nearly all farm service. This last Act only passed after a very heated discussion, both inside and outside of Parliament, neither the landowners nor the labourer being satisfied with its provisions ; but, it seems to me, both were wrong, and the Act, now in its first year, is working smoothly, and its general principles will no doubt survive the present agitation.

On the other hand, Mr. Darányi's most useful work is his successful struggle with agricultural strikes. Undoubtedly, Hungarian agriculture was in the gravest danger nearly ten years ago, when the labourers—supported by the Social Democratic Party—refused to fulfil their harvest engagements. The short harvests of Hungary mean that every labourer is urgently needed, and must be secured in winter and spring. If the harvest-agreement is not fulfilled the harvest must undoubtedly be ruined, as there is no possibility of getting labour at any moment, every hand being in demand at this season. As Mr. Darányi truly remarks, no agitation to break agreements already



Photo

HERD OF SWINE, LAKE BALATON.

Erőlyi

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made can be allowed, the State was really justified in its interference in this struggle, which was so fatal to the economic life of the country. It seems to me, that the whole question was, both in its legal and economic aspects, reasonably settled : the State, itself the largest farmer, has collected the so-called "workmen's reserve" from the State domains ; from this "reserve" only those employers may draw assistance who have proved beyond any shadow of doubt that they have lost, through no fault of their own, the services of workmen with whom they had entered into agreement for the harvest ; providing, too, that the intervention of the local authorities has been unsuccessful in finding workmen in the district to whom they might offer conditions and wages similar to those granted by neighbouring farmers.

This arrangement worked satisfactorily. The labourers were protected in their endeavours to get higher wages by combination before contracting, and they did it very successfully indeed. The wages of the occasional labourer—who is generally a day worker—are, however, now declining again in consequence of considerable remigration from the United States, but in the preceding years they were really so extraordinarily high that they were out of any proportion to the net revenue from agricultural land. The consequence has been in several places either the giving up of the higher cultures demanding more manual labour, as sugar-

beet for instance, or the introduction of agricultural machinery and labour-saving appliances. The average daily wages in 1906 of an adult unskilled labourer were in springtime 172, in summer 265, in autumn 189, and in winter 132 fillérs (120 fillérs = one shilling), which compares very favourably with the English agricultural labourer's wages, as shown in Mr. Wilson Fox's valuable report. He puts the weekly average wage of the agricultural labourer in England at 17s. 8d. Our wages are higher in summer time, and not very much lower on the yearly average. How great is the difference in the prices of agricultural produce in the two countries !

The position of the farm servants is, on the other hand, quite different. As a rule, they are miserably paid, certainly much worse than their fellows in England. I am inclined to think that this class is recruited mostly from the least desirable classes of working men. The life offers none of the attractions of town life; it is dull, for all farm servants are bound to live on the farm, often very far from any village, but because there is no risk incurred, they are satisfied to have lower wages, with often very miserable dwellings; they are partly paid in land, corn, cattle, etc., and they are at least sure of their livelihood. Their moral character is of course inferior, and they are very little to be relied upon. Mr. Darányi's incessant endeavour to brighten their



Photo

HERD OF BUFFALOES (STATE FARM).

Endiya

[To face p. 273.

lot and to raise them morally, is worthy of much praise.

The principal products of Hungarian agriculture are wheat 31·5, rye 9·6, barley 8·8, oats 9, maize 21·5, potatoes 5·1, clover and lucerne 7·5% of the whole arable land. Of course, besides these there are such others as rape-seed, peas, lentils, beans, flax, hemp, tobacco, sugar-beet, turnips, mangolds; rice should also be included. The principal market is of course our own land; next comes Austria. Nearly all our corn produced is consumed at home or in Austria, only the finer flour being exported to England as to nearly every part of the world; of other produce only barley for brewing purposes, and in the last few years some potatoes, clover seed, and tobacco are exported to England.

The quality of Hungarian wheat is very nearly equal to the red fife of Canada. Some maintain that Hungarian is the best wheat in the whole world. English authorities seem to be divided on this matter. Professor Kosutányi, our best authority on the subject, in his excellent book on Hungarian wheat, contends that Hungarian wheat contains the largest proportion of gluten, and produces the finest flour in the world. Mr. Hall, of Rothamstead, seems to prefer the Canadian. Mr. Humphries, reporting to the British and Irish Millers' Association on the experiments made at Weybridge during 1905 on different wheats, gives the preference to the Hungarian "*Jiszavidéki*,"

sent by me and produced on my own farm, describing it as an "ideal wheat," its strength being marked 120, *i. e.* better by 20 than the best wheat known heretofore. At any rate, Hungarian wheat is one of the best. Unfortunately, the yield is out of all proportion to the English wheats, and the great problem for us to solve is to combine the excellent quality of the Canadian "red fife" or Hungarian "Jiszavidéki" with the large yield of English wheat. Trials are now going on in Hungary and in England with this end in view.

The great pride of Hungarian agriculture is Hungarian wine. The old mediæval saying, "Nullum vinum, nisi hungaricum," is still true. There is still no deterioration in the quality ; but, unfortunately, adulteration is practised on a very large scale. Several Acts of Parliament have been passed, but it is next to impossible to eradicate this evil. It is common in other wine-growing countries. It is a remarkable fact, for instance, that one of the best foreign markets for Hungarian wine is—Bordeaux. Severe punishments are inflicted, and the Board of Agriculture is by no means slack in its administration in respect of wine adulteration, and yet I venture to say that for many a year not a single bottle of genuine Hungarian wine has been sold by the London wine merchants.

Difficulties of reaching the markets are still in the way of a more rapid development of Hun-



Photo

HORSE-BREAKERS (STATE STUD-FARM).

Erdelyi

[To face p. 275.]

garian horticulture, but we are rapidly progressing in this direction. Hungarian fruit is certainly the best in Europe. There is a rapidly-increasing export of fresh fruit, principally to Germany. Our grapes, melons, pears, apples, nuts, apricots, cherries, peaches and chestnuts would be welcomed on the London market if we could get them there in fresh condition. To give an idea of the Hungarian fruit-growers' difficulties it will be sufficient to say that we have no refrigerating railway carriages for meat and fruit transport to Fiume, the Hungarian port, and that cold storage was introduced only last year, and this only at Budapest.

The Forestry Act of 1879 was a great success. Before this deer forests were devastated, and everywhere, when possible, used for arable land. But the Act of 1879 ordered the maintaining of all so-called protective forests, *i. e.* those which serve to ward off landslips, snowdrifts and avalanches, also the forests growing upon such a class of soil as cannot be used for any other agricultural purpose; further, the forests forming the property of the State, the various local authorities, corporations, etc., are under official control and supervision, and may be worked only according to a plan approved by the Agricultural Department and by properly qualified forest-keepers. This is, of course, very far-reaching State interference, perhaps the most thoroughgoing in our agricultural policy, as

in some cases the Board takes over the administration of such forests, but it is a very useful and much appreciated measure. The whole aspect of some of the counties has changed since the passing of this Act. The whole area of forests is some nine millions of hectares, nearly six millions being under Government control. The forest areas are as follow:—beech 7·2, oak 2·7, and pine nearly two millions of hectares, the State property being more than one and a half million hectares in extent.

Besides this, the Government owns sapling gardens to help the afforestation work. There are also sapling gardens for fruit trees to be planted on the public highways, for mulberry-trees in connection with the silk culture, and for willows in connection with the basket-making industry. Every parish is obliged to run one such garden, but, unfortunately—generally speaking—it is an unsuccessful measure, as it involves too much expense and sometimes too much horticultural knowledge to be found in the average village, so that there is a tendency to modify the Act and to require only one, but better, sapling station in each district.

The breeding of animals is far less advanced in Hungary than it is in England. Horses are the only exception. There is some truth in Lord Rosebery's witty remark, that there are now only good horses in Hungary, since all the bad ones were exported during the South African War for the English army! State stud farms, more than



HERD OF CATTLE (STATE FARM).

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a hundred years old, have been very successful in the breeding of horses, and the admixture of English and Arab blood by thoroughbred English and Arabian stallions has proved a great success. Kisbér stud farm is for English thoroughbreds, Bábolna for the Arabian, and Mezöhegyes for both, and also for Gidràn and Nonius (Anglo-Norman); Fogaras for the Rarst (Lipizza) breed. These four farms contain 2,700 horses; while for the purposes of public breeding there are 1,018 State stations, with 3,282 stallions. These are hired for service for a comparatively small fee. The quality of the Hungarian horse needs no description to English readers. Indeed, I am personally convinced that the English thoroughbred is the descendant of the Hungarian horse.

The export of Hungarian horses represents more than £1,000,000 a year, besides the great value of such a supply for our army.

Cattle breeding is just now in a transition stage. The old type of Hungarian cattle, the white-horned beautiful cattle (something like the Chillingham breed), is in great danger of being superseded by the western breeds, which are superior both in milking and in earlier ripening, as well as for meat. The superiority of Hungarian cattle for draught oxen is year by year diminishing in value because of the altered methods of agriculture. The Swiss Siementhel, and a naturalised variety, the Boughàd, are now in demand. Unfortunately, no serious

attempt is made to breed English Shorthorns, or Aberdeen-Angus, or the still hardier Ayrshire breeds.

Pig breeding is also in need of encouragement. The Mongolias (white and black) are most in demand, and these are somewhat akin to the Lincolnshire curled breeds, but are used in the first instance for lard, not for meat. A great quantity of Yorkshire pigs was introduced during my time of office by the Board of Agriculture, and distributed at cost price amongst the farmers. They came mostly from the Peterborough district, and were so popular that the trial has since been repeated.

Poultry breeding is very popular, as this industry is very rightly favoured by the small holder. It is a remarkable fact, that the export of poultry produce (dead poultry, eggs and feathers) is nearly £3,000,000 yearly. Such an expert as Mr. E. Brown, of the National Poultry Association, is full of praise for the Hungarian breed of geese, crossed by Emden's and some other Hungarian poultry varieties. The Hungarian turkey is a favourite Christmas bird on the London market, and its eggs sell well. Bees are, comparatively speaking, neglected. Silkworms—thanks to the life-long labour of Mr. Bezerédy—are now much cultivated, and good silk produced.

Part of the veterinary service is supplied by the State. Of the 1,137 veterinary surgeons 626 are in the public service, and every district has its own



Photo

REGULATION OF THE RIVER RECSINA.

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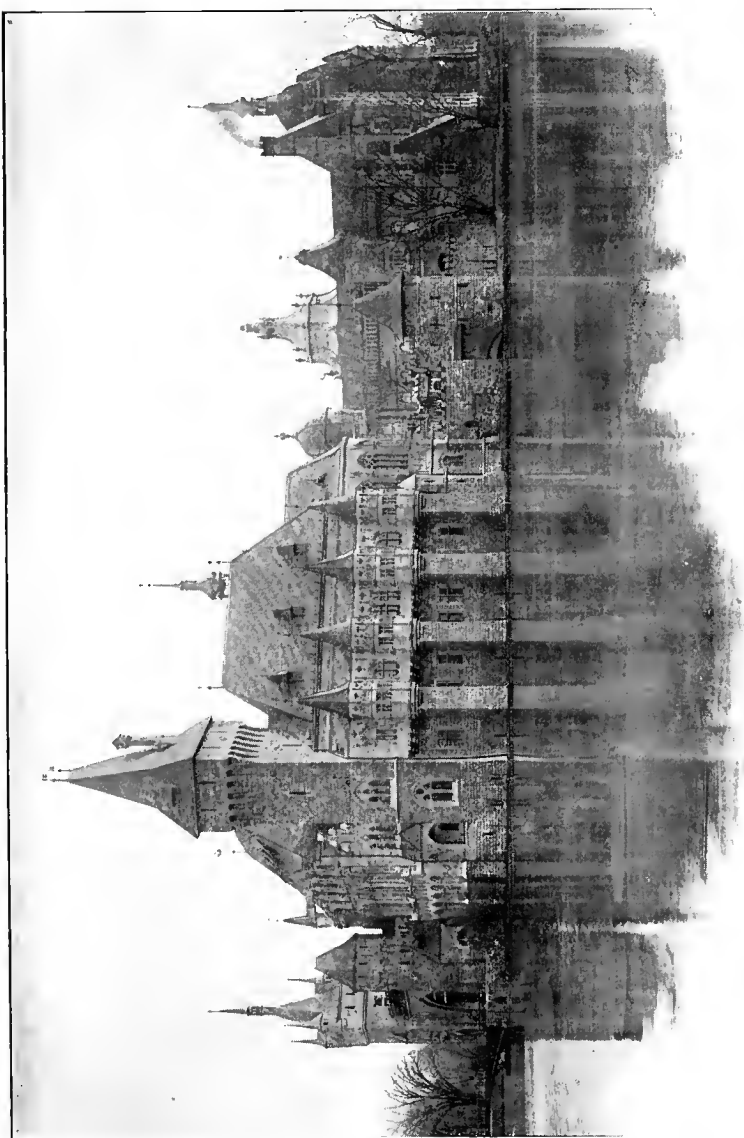
veterinary officers. Much improvement has of late been made in this service. Contagious diseases are controlled very much as in England. Rinderpest has been quite abolished since the Oriental frontiers have been closely watched; anthrax and glanders cases are relatively rare, rabies nearly exterminated; but swine fever is still too common. Up to the present any attempt to deal with it has proved unsuccessful. Indemnification is given for the loss of animals by rinderpest, pneumonia, anthrax, glanders, mange and tuberculosis; it is also granted in cases of the slaughtering of animals suffering from swine fever and plague.

The Minister of Agriculture has the charge of all matters relating to the waterways, except shipping. He is, therefore, responsible for the up-keep of the lock-gates against floods on both banks of the larger rivers. The flood-prevention societies (forty-five on the Tisza and thirty-one on the Danube) were instituted by that great leader of public reforms, Count Stephen Szèchenyi. Their gates protect not less than 3,678,000 hectares of the most fertile land in Hungary.

This work is more extensive than any similar work in Europe, the Po valley covering only 700,000 and the Loire valley 95,000 hectares. Of course some State aid was necessary, but the work was chiefly done by the interested owners, and the sum expended by them amounts to about £15,000,000. Irrigation is in the hands

of a section of the Board, called the Culture Engineer Department. There are eighteen Culture Engineer Officers ; they are at the service of every landowner for the giving of advice and for lending assistance in the carrying out of works for the improvement of the soil, tube drainage, irrigation, regulation of inland waters, torrential brooks, etc. They are very popular, the service rendered by them being highly appreciated all over the country, and the landowners having almost unlimited confidence in their advice.

Agricultural education is almost exclusively in the hands of the State. Only in the lower grades are there some exceptions to this rule. Our Elementary Education Act of 1868 was the model for the English Elementary Education Act of 1870, introduced by Mr. Foster, who was on friendly terms with Baron Eötvös, the well-known political writer, then Minister of Education ; we have the same difficulties to meet in the question of elementary education as are to be found in England. Unfortunately elementary education in Hungary, as in England, is much more apt to induce promising young fellows to leave the land than to keep them there. Up to the present we have had no experiments in school gardens or similar systems of nature study. That highly interesting experiment in Canada of schools on the Macdonald system is quite unknown in Hungary, consequently the children, on leaving the elementary school, are



Photo

AGRICULTURAL MUSEUM, GOTHIC WING, BUDAPEST.

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farther from any agricultural knowledge than they were when they entered. A Bill introduced just now by Count Apponyi, proposes all the year round obligatory continuation schools, as a complement of the elementary schools, and these to be run on agricultural lines. It is still an open question as to the possibility of prolonging compulsory school attendance in our villages; but the experiment is certainly an interesting one.

There are numerous schools of agriculture, horticulture, viticulture, poultry, bee-keeping, afforestation, dairy-farming, spirit distilling, etc. There are itinerant teachers who give advice and instruction to small landowners; there are also model farms; schools for small farmers (twenty-three are supplied with model farms); five agricultural academies for intending bailiffs and stewards, as well as for larger estate holders. We have, too, a veterinary college, a high school for forestry, and we are now considering the organisation of a special college—connected with the University at Budapest—for agricultural science.

This educational work is mostly done by the State, as is the scientific work too. The Agricultural Museum, one of the chief sights of the Hungarian capital, is supported by the Board of Agriculture, as are the Geological Museum and Institute, the Meteorological and Wool-sorting and Bacteriological Institutes. All the experimental Institutes are exclusively under the care of the

Board. Of course this kind of State-support may be detrimental to private initiative; we have no trial-grounds like those at Rothamstead or Woburn, Cambridge or Weybridge, but the advantages, on the other hand, are undeniable. Whereas in Hungary the system adopted is uniformly applied over the whole country and the work thus done systematically, in England, with the single exception of the control of contagious diseases in farm stock, there is absolutely no systematisation whatever. Is it too much to hope that the time will come when all the resources of agricultural science will be organised not only in a single country, but internationally?

The whole administration of Agriculture in Hungary has been—generally speaking—very successful in awakening agricultural interest. And it is important to note that the tax-payer has no reasonable objection to offer to this form of State interference. With the single exception of the Congested Districts Boards in the north-eastern and south-eastern parts of the country (which are formed on the Irish and Scotch pattern), everything is done to support private enterprise, to help the people to help themselves, and the help is mostly given to going concerns. The Hungarian State, as the largest landowner of the country, can do and must do so much. And whilst the whole amount for agricultural purposes, in a country with a budget of nearly £60,000,000 paid by the tax-



Photo

AGRICULTURAL MUSEUM, RENAISSANCE WING, BUDAPEST.

Dizáld

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payer, does not exceed the comparatively small sum of £800,000, can there be any serious complaint against the special favour shown to the principal, almost the exclusive, industry of the country ?

CHAPTER VII

PART I

ELEMENTARY EDUCATION IN HUNGARY

By COUNT ALBERT APPONYI

THE first traces of elementary education in Hungary date from the period when the Hungarian nation embraced Christianity and the Hungarian kingship was established. For many centuries schools served the interests of the Church and were entirely under its control.

The thirteenth century saw a remarkable development and a continual growth in the importance of elementary schools in Hungary, which kept pace with the evolution of social life that characterised the same period. The schools were still under the protecting wing of the Church, but had already to some extent come within the range of secular life.

The study of the humanities and the Reformation brought about a radical transformation in mediæval schools. The struggle between Catholicism and Protestantism, which lasted for a century, led to the development of elementary education, or

rather was the real cause of teaching becoming to some extent the education of the masses.

In the seventeenth century the Government began, for political reasons, to exercise influence on school affairs, the object being to employ the schools for the purpose of Germanising the country. From this time onward elementary education was treated as a public matter (*politicum*), the fostering, guidance, and management of which was the right and the duty of the "powers that be."

In the eighteenth century Marie Theresa issued her celebrated *Ratio Educationis*, a decree containing measures relative to the organisation of schools and questions of instruction ; the Empress-Queen entrusted the supreme control and management of schools to the Vice-gerent Council, and divided the country into nine districts, each provided with a Chief Inspector (*Oberdirector*).

The second *Ratio Educationis*, issued by Francis II in 1806, was practically the outcome of the organisation of their school (educational) affairs by the Protestants in 1795. This decree was mainly concerned with the settling of the school affairs of the Catholic Church : it was, however, considerably modified by the *Systema Scholarum* issued by Ferdinand V in 1845.

In 1848 the constitution of the Estates of the Realm was transformed into a National Assembly (representing parliament). Baron Joseph Eötvös, the first Hungarian Minister of Public Instruction,

elaborated the first draft of an Elementary Education Act in a modern and national spirit. But, owing to the outbreak of the War of Independence, Parliament had no time to discuss the draft ; while the absolute rule that followed the war did away with every kind of legal and constitutional basis. Count Leo Thun, the Austrian Minister of Public Instruction, issued a new draft for the organisation of schools (*Organisations-Entwurf*).

The advent of the provisional Government that acted from 1861-1867 put an end to the Thun system, without any other scholastic system being adopted in its place ; it was, however, out of the question to return to the obsolete system in force before. The most important change was that the direction of public instruction again fell into the hands of the Vice-gerent Council, which, however, pursued an educational policy that left the affairs of Protestant schools untouched, while it directed all its efforts to the settlement of the affairs of Catholic schools.

After the conclusion of the Compromise (*Ausgleich*) of 1867, Baron Joseph Eötvös again became Minister of Public Instruction. He again took up the thread of the settlement of the question of elementary education that had been broken off by the events of 1848. The result of his work was the Elementary Education Act (XXXVIII) of 1868, which has been supplemented by Acts dealing with teachers' pensions and salaries, and also by an Act

making the Hungarian language an obligatory subject in all public elementary schools. These amending laws, from 1868 to 1907, constitute an organic whole, and comprise an entire system of national and elementary education in force in Hungary.

By Act XXXVIII of 1868 all children must attend day schools between the ages of six and twelve, and continuation schools between the ages of twelve and fifteen. For the punctual attendance at school of the pupils the parents, guardians, or employers respectively are responsible. They are liable, by the Act, to graduated fines of one, two, four and eight crowns, which are to be paid direct to the school authorities. The parish authorities are required to prepare once a year a register of those children who should attend school, to compel those children who fail to fulfil the requirements of the Act regarding attendance to do so, and to take measures for the infliction of fines in the case of non-attendance. Delicate children and those suffering from loathsome and infectious diseases, as well as those who are mentally defective, may be excused from attendance at school.

The law permits parents to have their children taught in any public elementary school, of whatever character, or privately at home; but in the latter case children are required to pass an examination at the end of the year at some public elementary school.

By the Act of 1868 the managers of schools were divided into two groups. The one comprises political communities (parishes) which are bound to provide and maintain schools, the other the State, religious denominations, societies and private individuals, who are entitled so to do.

In the case of parishes where there are at least thirty children, whose attendance at school is required by law, who have no public elementary school at their disposal, or whose parents do not wish to send their children to the denominational school existing in the parish, the local authorities are required to establish a public elementary school. Such parishes as are not more than $3\frac{1}{2}$ kilometres distant from one another may provide a common public elementary school for the use of the children of both parishes. The local authorities are required (*a*) to guarantee the payment of the teachers, (*b*) to provide premises for the purposes of the school, as well as the equipment of the same, (*c*) to defray all other expenses incidental to the maintenance of the school. The expenses of the maintenance of schools are covered—

(1) By the revenues of school funds (endowments).

(2) By the school receipts (school admission fees, fines, etc.).

(3) By school-rates that must not exceed 5% of the direct taxes paid to the Exchequer. These rates may only be levied if the above-mentioned

sources of revenue prove insufficient. Residents in the parish contributing to the maintenance of denominational schools, however, are exempt from payment of these rates in proportion to the amount of their contribution to such purpose.

The capital of parochial schools consists of (*a*) a hundredth part of the common appropriated for the purpose on the occasion of the discommoning (parcelling out) of the same; (*b*) other endowments, landed property, and money left in trust for school purposes. This capital is managed by the local authorities, who are required to provide for its continual increase. In the case of parishes not possessing a parochial school, the revenue of the local school capital derived from the appropriation of the common may, with the sanction of the Minister of Public Instruction, be devoted to the maintenance of the local denominational schools. The aggregate value of the real property of parochial schools amounted, in 1900, to about 36,000,000 crowns (£1,500,000), and produced a revenue of 1,200,000 crowns: that of denominational schools amounted to 97,200,000 crowns, and produced a revenue of 3,260,000 crowns. It is the duty of parish authorities to provide schools for children living on farms that, from the point of view of administration, belong to their sphere of jurisdiction, or to appoint itinerant teachers to instruct them at their homes.

The question of the education of children living

on farms is, in Hungary, of peculiar significance ; for on the Great Plain (Lowlands) a large part of the inhabitants reside, not in villages, but on widely scattered farms. In their case it would not be fair to enforce the fulfilment of the obligations which are imposed on people living in proper parishes. This is why the settlement of the question of schools for farm-dwellers has recently been initiated by the establishment of State schools.

The regulations established by Government in the past with reference to elementary education were unable to loosen the bonds of connection between the religious denominations and the schools maintained by the same ; and the Parliament of 1848, while fully recognising the historical basis on which the denominational schools rested, passed a resolution that the school and church expenses of the various denominations should be borne by the State. The Elementary Education Act of 1868, however, attached the chief importance to the parish, an experiment which proved a failure. The various denominations—with one or two exceptions—spare neither trouble nor expense in maintaining and developing their schools, and endeavour to satisfy all the requirements imposed by law on the denominational schools.

As decreed by § 80 of the Act of 1868, the Ministry of Public Instruction, acting in the name of the State, shall not provide elementary schools, except where those entitled or bound to do

so—viz. religious denominations, municipalities, local authorities, owing to a lack of the requisite material resources—are unable to establish such schools, or are not inclined to guarantee an elementary education in accord with the interests of the State. Where, owing to such circumstances, the State provides such schools, the latter are so many strongholds of the idea of a national State, and of a proper modern education of the masses. Consequently, in the progress of elementary education in Hungary, the centre of gravity has gradually been transferred to the districts possessed of State elementary schools, which are model schools, in agreement with the spirit of the law, and, by the example they set, act beneficially on parts of the country and grades of society which fall outside the direct sphere of the power of Government.

Although the providers of schools are of various degrees, the legal conditions for the maintenance of schools are, for all practical purposes and taken all in all, the same. The law requires in all cases equally, (*a*) that the subjects of instruction should be those defined in the regulations ; (*b*) that the school buildings and class-rooms should be of the proper dimensions ; (*c*) that the class-rooms should be equipped with furniture and appliances of instruction ; (*d*) that the number of pupils should be at most 80 ; (*e*) that boys and girls should receive separate instruction ; (*f*) that the teachers should possess the qualifications required

by law ; (*g*) that the teachers should receive a certain minimum salary ; (*h*) that the pension of teachers should be duly guaranteed ; (*i*) that the school shall be open for at least eight months in the country and at least nine months in towns ; and finally (*j*) the local inspection of schools shall be provided for.

All matters relating to the building of schools are regulated by the model plans and instructions issued together with the Ministerial Decree of 1897.

Since the issue of these model plans (which must be adopted in the construction of State elementary schools), school building in Hungary has made remarkable progress. Not only have the larger towns fine buildings answering all the requirements of modern education and hygienics, but even in the provinces, in small villages, there has been quite a revolution in the exterior appearance of school buildings. Millions of crowns have been invested, by the various classes of school-providers, in the building of schools, the salaries of the teachers being paid by the State. During the last decade, the State itself has spent nearly ten, the capital city of Budapest some five millions of crowns in the erection of suitable schools.

The contributions of local authorities towards the expenses of public elementary schools constitute about 36% of the whole sum expended. But the greater part of the same is devoted to

the maintenance and support of denominational schools; and only 11% falls to parochial schools. The local authorities defray 71% of the whole outlay of their own schools out of their own resources: the rest is supplied by the State or from other resources. The State defrays 18% of the aggregate outlay on Hungarian public elementary schools—22,000,000 crowns. The aggregate number of hours per week, in public elementary schools with six classes under the management of one teacher, is 32 (an average of $7-7\frac{1}{2}$ per class). In elementary schools with two teachers the number of hours of the first and second standards together is 22; of the third, fourth, fifth and sixth, 30. In schools with three teachers the aggregate of hours in the first and second standards is 22, in the third and fourth 28, in the fifth and sixth 28.

In schools with four teachers, the number of hours in the first standard is 21, in the second standard 21, in the third 25, in the fourth 26, and finally in the fifth and sixth 28.

As provided by the Elementary Education Act, the second course of elementary education is the three years' continuation school. This school forms a very important complement to the public elementary school; its importance lies, firstly, in the fact that 95% of the pupils leaving elementary schools do not pass to any higher institute, and do not therefore continue to study, and, secondly, in the

fact that young people between the ages of twelve and fifteen are particularly in need of school and moral guidance. The cultural significance of the continuation courses was particularly enhanced by the regulations and syllabus for a continuation course in agriculture (issued in 1902), in which the instruction in school was brought into close agreement with the requirements of practical life, by enabling the children of parents engaged in the cultivation of the soil to acquire technical agricultural training in continuation schools.

Continuation schools for technical instruction in agriculture gradually took the place of general continuation courses all over the country, and were able to make up for the deficiencies of the latter by offering a scientific education in that most important branch of culture.

In these agricultural schools the subjects of instruction are partly theoretical, partly practical. The theoretical subjects are writing and reading of set pieces, within the bounds of which the pupil's knowledge of natural history, geography, physics, chemistry, history and constitutional history is resuscitated and completed in a manner calculated to satisfy all the requirements of practical life; further, the Hungarian language, in particular drafting (with special reference to public life), and arithmetic. The practical courses in agriculture are held on the model farm and in the garden attached to the school.

There are separate continuation schools of this kind for boys and girls; the schemes of work naturally differ to some extent, according to the future occupations of the pupils. At the same time, the managers of such schools may establish local schemes of work in agreement with local conditions (branches of agriculture prevailing in the particular district); consequently there are continuation schools with special courses in viticulture, forestry, cultivation of the soil, fruit-culture and kitchen-gardening respectively. The course of instruction extends over three years. The school year comprises a period of from eight to nine months. The number of hours per week is, in autumn and summer two, in winter five. By Act XXVII of 1907 the language of instruction in all continuation schools is Hungarian (Magyar).

Among the continuation schools for technical instruction in agriculture there are some which possess model farms, etc., of large extent: on the latter special professional teachers are employed to give technical and practical instruction in agricultural science. These schools, provided with model farms, of which there are 45 in the country, are called "szaktanítás gazdasági ismétlő iskolák" (agricultural continuation schools with expert teachers). These latter, too, may be engaged in special instruction in various branches of agriculture as detailed above.

The total number of those obliged to attend

school in Hungary is 3,154,000; of these, 1,564,000 are boys, 1,590,000 girls. Of this number, those obliged to attend elementary day schools comprise 2,200,000; while those whose attendance at continuation schools is obligatory number 904,000. Of those obliged to attend elementary schools, 79·5% are enjoying proper instruction—in round figures 2,500,000; 21% (also in round figures) did not participate in instruction. The number of children attending elementary day schools is 1,848,176 (948,918 boys and 899,258 girls).

The number of pupils attending general continuation courses is 347,000; of those attending agricultural continuation schools, 140,655; and of those attending agricultural continuation schools, 8,356. The proportion of pupils actually attending continuation schools—*i.e.* in comparison to the number of those who should attend—will be bettered from year to year by the continual increase in the number of agricultural and housecraft continuation schools respectively. The creation of a separate apprentice school for girls is also planned.

Elementary education in England, therefore, though agreeing in its ultimate aims with that in force in Hungary, follows a different path, and, in its progress, has to struggle against different obstacles to those presented to Hungarian statesmen. What the latter are striving to attain—viz.

the creation of a uniform national state—has long ago become a living reality in England.

All this proves that the Hungarian Legislature has settled the question of elementary education on the most liberal basis, with the most considerate regard for individual and corporate rights, even in places where the interests of the State dictated greater severity in the restriction of those rights. When the Act of 1868 gave the local authorities and the religious denominations the practically unlimited right of providing schools, and entrusted the determination of the language of instruction to the bodies providing and maintaining the schools, it threw the greatest obstacles in the way of the realisation of a uniform national elementary education. The Government is alive to these difficulties, and has been struggling with them for decades ; but it is not inclined to have recourse to the weapons of force, even where the laws authorise it to do so.

The present Ministry of Public Instruction does not consider the exclusive nationalisation of elementary education either necessary or opportune ; it adheres to the principle of liberal education, and believes that, in Hungary, it would be unwise from a national point of view to put the whole management of the educational affairs into the hands of each succeeding central government.

For this very reason, where State interests

require, the Ministry takes advantage of its right to carry into effect elementary education of a national character side by side with the existing denominational and parochial elementary schools.

The chief task allotted to State elementary schools is the strengthening of a uniform national feeling among the inhabitants of manifold races and denominations ; to some extent to act as a model of elementary education, by a practical exhibition of the desirable method of instruction in all parts of the country ; and, finally, to secure the education of the masses in places where those responsible for the maintenance of other schools do not at all provide for the same, or, at any rate, not in an adequate manner.

The above facts are sufficient to prove that the Ministry of Public Instruction is far from wishing to prevent the non-Magyar inhabitants of the country from asserting their racial individuality, or to throw obstacles in the way of their cultural development ; it only requires of them that, as members of the Hungarian State, they should adapt themselves to the fundamental law guaranteeing the existence of the Hungarian State, which the said State could not renounce without exposing itself to the risk of ruin.

PART II

HIGHER EDUCATION IN HUNGARY

By JULIUS DE VARGHA

To give a true picture of the culture of a country in figures is impossible ; in default of a better, statistics generally employ the fundamental factor of elementary education, viz. the *ability to read and write*, as a criterion. If we take the whole Hungarian kingdom, in 1900, of those inhabitants over six years of age, 59·3% were able to read and write. There is great difference, however, between the elementary education of Hungary proper and that of the annexed countries. In the former, the number of those able to read and write corresponded to 61·4% of the aggregate of inhabitants over six years of age : whereas in Croatia and Slavonia the proportion was only 44·4%. There is also a great difference in this respect between the various parts of the mother country. While in the Western districts, on the right bank of the Danube, the proportion of persons able to read and write is 76·4%, in the East, in the districts beyond the Királyhágó, it is only 41·5%. This fact is due not only to the western counties having advanced much further in point of education owing to their proximity to the cultural influences of the West, but to the circumstance that the eastern counties are inhabited to a great extent by adherents of the two Greek Churches, who are behindhand in point



Photo

TUE UNIVERSITY, BUDAPEST.

Dioid

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of culture. The enormous difference in respect of culture between the adherents of the Western and Eastern Christian Churches in Hungary is proved in a surprising manner by the statistics relating to the proportion of persons able to read and write : in the former Churches the proportion is 71·22% of the aggregate of inhabitants over six years of age, while in the latter Churches it was only 22·19%. To take the various confessions separately : in the case of the Unitarians the proportion was 64·95%, in that of the Roman Catholics 68·26%, in that of the Reformed Church 75·52%, in that of the Evangelical Protestants 82·26% : whereas in that of the Greek Oriental Church it was only 20·83%, and in that of the Greek Catholic Church only 23·86%. These statistics prove beyond a doubt the lower level of culture of the two Eastern Churches. The proportion of persons able to read and write in the Jewish Church, viz. 83·03%, exceeds even that of the Western Christian Churches : a fact explained by the occupations of the persons belonging to that confession, who are but rarely engaged in rough manual labour.

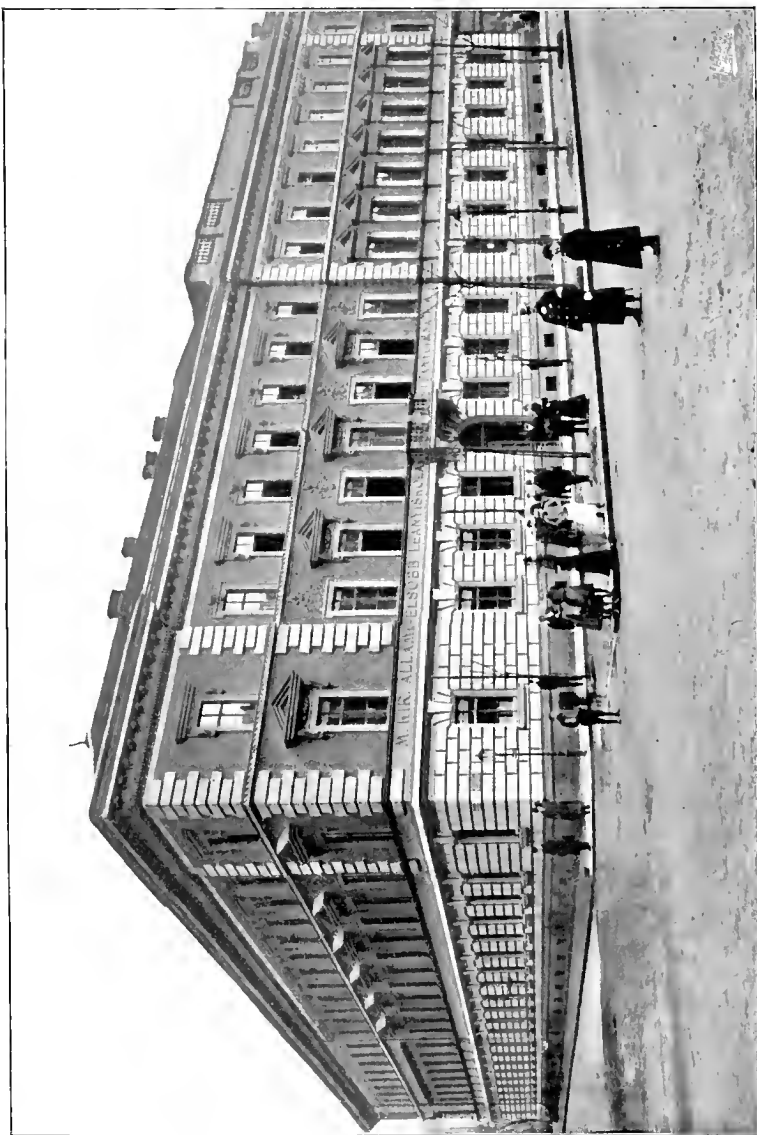
This great divergency in point of culture between the various confessions, as well as the fact that the said confessions, as providers of schools, play an important part in the education of the country, renders it imperative that we should take a cursory glance at the numbers and proportions of these confessions.

In 1900, in the component parts of the Hungarian kingdom, the numbers of the adherents of the various confessions were as follows :—

	Number in Hungary proper	%	Croatia and Slavonia	%	Aggregate for Hun- garian Kingdom	Ag- gre- gate %
Roman Cath. . . .	8,198,497	48·7	1,721,416	71·3	9,919,913	51·5
Greek Cath. . . .	1,841,272	10·9	12,871	0·5	1,854,143	9·6
Reformed Church . .	2,427,232	14·4	13,910	0·6	2,441,142	12·7
Evangelical	1,258,860	7·5	30,082	1·2	1,288,942	6·7
Greek Oriental . . .	2,199,195	13·1	616,518	25·5	2,815,713	14·6
Unitarians	68,551	0·4	17	0·0	68,568	0·4
Jews	831,162	4·9	20,216	0·8	851,378	4·4
Other confessions	13,486	0·1	1,274	0·1	14,760	0·1

In Hungary proper, though the Roman Catholics are in a large majority relatively, no single confession possesses an absolute majority ; but in the Hungarian kingdom as a whole, the Roman Catholics are in an absolute majority. The adherents of the two Greek Churches compose nearly one-fourth, those of the three Protestant confessions almost one-fifth of the whole population. The proportion of Protestants in the mother country is considerably larger than that of the same confessions in the whole kingdom ; for there are very few Protestants in Croatia and Slavonia, where Catholicism and the Orthodox Church are practically predominant.

Taking the nationalities which are to be found in any numbers in Hungary proper, in 1900, 79·63% of the Germans over six years of age could read and write ; of the Magyars 72·52%, of the Slovaks 60·36%, of the Servians 48·38%, of



Photo

STATE HIGH SCHOOL FOR GIRLS, BUDAPEST.

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the Roumanians 23·88%, and of the Ruthenians 17·78%. So the foremost in this respect are the Germans, not the Magyars. The main reason for this is that, in the Great Lowlands, a large proportion of the Magyars live in scattered homesteads. Owing to the distance from the schools, the children of the people living in these homesteads grow up for the most part without having any schooling; only recently has the State endeavoured, in conjunction with the parish authorities, to remedy this evil by establishing homestead schools.

The number of persons able to read and write is known to us only on the basis of the census which is held every ten years: and it is extremely probable that during the last seven years that have passed since the last census, those whose mother tongue is Magyar have practically outstripped their German compatriots in point of education. This supposition is quite justified by the results of the past; for while between 1880 and 1900 the proportion of Germans able to read and write rose from 68·25% to 79·63%, during the same period that of the Magyars rose from 53·56% to 72·52%. Consequently, during the course of twenty years, the elementary education of the Magyars rose in a considerably higher ratio than that of the Germans, and very nearly succeeded in overtaking the latter.

Not only does the Hungarian State not hinder the education of the non-Magyars, but, on the contrary, partly by the exercise of its right of

superintendence and control, partly by the provision of schools, and by grants to existing schools, is doing all in its power to effectively further the same. To this may be attributed the development in the field of elementary education made by the non-Magyar races. Between 1880 and 1900, taking the persons above six years of age as the basis for our calculation, the proportion of those able to read and write rose, in the case of the Slovaks, from 39·27% to 60·36%, in that of the Roumanians, from 11·01% to 23·88%, and in that of the Ruthenians, from 8·64% to 17·78%.

The task of *secondary* schools in Hungary is to offer a general education and to prepare the pupils for work in the universities and colleges of university status. There are two kinds of secondary schools, the classical schools (*Gymnasia*), which attach most importance to the humanities, to classical languages, history and literature, and the modern schools (*Realshülen*), which, by putting modern languages, mathematics and natural science in the foreground, prepare their pupils for the higher grades of technical science. There are many more classical schools in the country, which are also far better attended than the modern schools, partly because the educated middle classes still show a great preference for the humanities, and partly because the classical schools qualify for every kind of higher institute.

In 1905-1906, in the mother country (Hungary



Photo

RECREATION : STATE HIGH SCHOOL FOR GIRLS, BUDAPEST.

Endégy

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proper), there were 170 classical and 32 modern schools—*i. e.* 202 secondary schools in all. Not even in the field of secondary education does the State exercise a monopoly. There are secondary schools under the management of the State, others under the supervision of the State; while others again are quite autonomous. To the first group belong, besides the State classical and modern schools, the so-called Roman Catholic classical schools of a distinctly Catholic character, maintained out of the Educational Endowment Fund: under the supervision of the State are the parish (municipal), proprietary and private secondary schools, as well as the classical schools maintained by the Roman and Greek Catholic Churches, and the only Jewish modern school; while the autonomous secondary schools are those belonging to the Protestants, the Greek Oriental Church, and the Unitarians. In the first group there were 52 classical and 25 modern schools; in the second group 62 and four; and in the third group 56 and three respectively.

Of the 202 secondary schools, in 185 Magyar was the language of instruction; while in 17 (14 classical and three modern schools) the language of instruction was some other, German, Roumanian, Servian or Italian. There was an aggregate of 4051 teachers (masters), of whom 3341 were working in classical and 710 in modern schools. At the close of the school-year 1905-1906, the number of

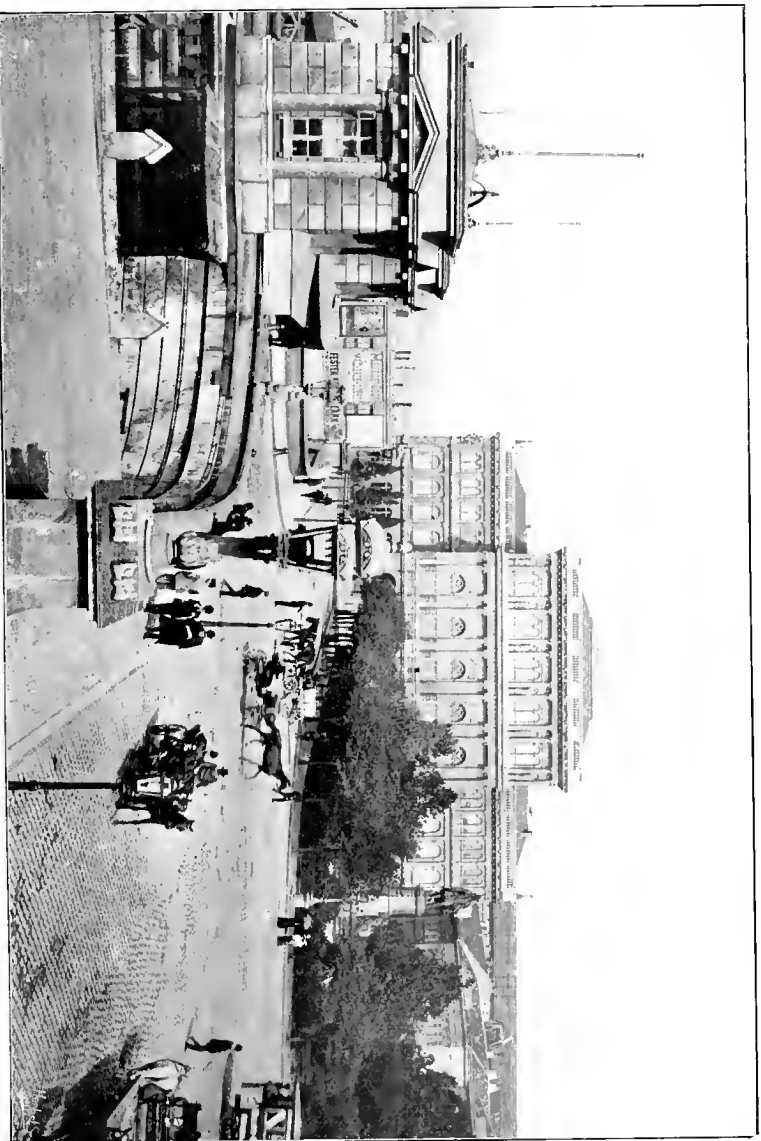
pupils attending the classical schools was 54,199, that of those attending the modern schools 9540, so that the total aggregate of pupils attending secondary schools was close on 64,000.

These pupils were distributed, according to their mother tongue, as follows :—

Magyar	78·89%
German	9·81%
Slovak	2·84%
Roumanian	6·13%
Ruthenian	0·14%
Croatian and Servian	1·75%
Others	0·44%

As in the educated classes in general, in the secondary schools too, those whose mother tongue is Magyar are in a huge majority ; next to them come those whose native tongue is German.

In 1906, 4383 pupils matriculated at the classical and modern schools ; whereas in 1891 only 2097 did so. Consequently, during a period of fifteen years, the number of matriculates has more than doubled. Though, from the point of view of the spread of general culture, this is a welcome sign, it has its disadvantages ; for there is already an overflow in all professions entered by the educated classes. In the secondary schools we may include the higher grade commercial schools too, the number of matriculates at which increased during the same period of fifteen years from 726 to 1674. These figures are not included in the above aggregate, as the commercial schools, together with



Photo

ACADEMY OF SCIENCE, BUDAPEST.

Dinall

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the other technical schools, will be treated of in another place.

We may now proceed to deal with *higher education*, which in Hungary has a splendid history. As long ago as the days of the Árpád kings, there was a flourishing university college at Veszprém; while in 1367 a genuine university was founded at Pécs. During the reign of Matthias, under the influence of the Italian Renaissance, several Hungarian colleges assumed the character of a university; and some of them were rendered complete by the teaching of medical science. Besides that, Hungarian young men thirsting for learning visited Italian, French, and, later on, German universities.

Even to-day many Hungarian students enter foreign universities, the beneficial effect of which course is evident, seeing that it maintains a cultural connection with the West. During the winter term (semester) of the academic year 1905-1906, 965 Hungarian students visited foreign universities, and 452 foreign technical colleges.

There are 59 institutes of university status in Hungary proper; two universities of sciences, one university of technical sciences, 10 academies of law, and 46 theological colleges. The small number of universities is an evil that has long been recognised, the remedying of which the Minister of Public Instruction is seriously contemplating. The University of Sciences at Budapest is so abnormally

large that in the academic year 1905-1906 no less than 6731 students were enrolled on its registers. The number of students enrolled in the University of Kolozsvár during the same year was 2386; while the Budapest University of Technical Sciences contained 1304. Among the students enrolled in the two universities of Hungary the overwhelming majority are law students, the number of whom amounted to 5582; of students of philosophy (including those of the faculties of mathematics and natural science) there were 1873; while the number of medical students amounted to 1288.

Scarcely more than a decade has elapsed since *women*, too, were allowed to enter the universities of Hungary as ordinary students. During this short period, their number has increased enormously. In the academic year 1905-1906, 225 women students were enrolled (180 as ordinary and 45 as extraordinary students); of the ordinary women students, 44 were enrolled in the faculty of medicine, 136 in that of arts (philosophy). Consequently, the majority of them were bent upon entering the teaching profession.

Almost one-half of the students of the University of Technical Sciences are enrolled in the mechanical engineering section; one-third in the engineering section. The number of students enrolled in the chemistry and general section is much smaller; while the students attending the lectures



Photo

THE POLYTECHNIC, BUDAPEST.

Divald

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of the architecture section constitute only 6 to 7% of the whole number.

Besides the two universities of sciences of the mother country, there is a university at Z'ágráb for the use of the annexed countries (Croatia and Slavonia); but it does not possess a medical faculty. The number of students attending this university during the academic year 1905-1906 was 1195, of whom 746 (*i. e.* 62.4%) were law students. The official language of this university is not Magyar, but Croatian; consequently it is in the service not of Magyar but of Croatian culture.

That mighty means for the spread of culture among the people, which started on its triumphant path from Great Britain, viz. university extension, has not yet become general in Hungary; but it can already boast of remarkable results. At present there are five institutes working to this end, all created and maintained by higher social factors: the "Urania" theatre, the "Urania" Hungarian Scientific Society, the Elizabeth Popular Academy, the Popular University College, and the Free Lyceum. These all attract audiences drawn not merely from the middle classes, but also from the lower strata of society. In 1906 the aggregate number of students was 337,417; while the pamphlets and other publications issued by the various institutes attained an aggregate circulation of over 400,000.

Though in reality special schools, the schools of

art, as serving the interests of general culture, deserve to be mentioned here ; of them it will suffice to refer to those of a higher grade—the schools for master painters, the academy of theatrical art, and the national academy of music.

Important factors in the cause of public education are the museums and libraries. At the head of these stands the Hungarian National Museum, which was founded by the generosity of enthusiastic patriots in 1802. To-day its collections of antiquities, its natural history and ethnographical collections, are extremely rich ; while its library is the wealthiest in Hungary. The last-named valuable collection includes 1,420,000 volumes, pamphlets, and MSS. Here are preserved the oldest monuments of the Hungarian language, as well as a whole host of manuscripts invaluable from the point of view of Hungarian literature and history. Besides the National Museum, there are several large museums in the capital itself, of which the most valuable is the Museum of Fine Arts. This collection is not only rich in works of modern artists ; it contains, besides, numerous examples (some of them first-rate ones) of older Italian and Flemish art. In the more important provincial centres, too, there are precious museums, which, particularly of late, have been thoroughly well cared for. The number of libraries, also, is continually on the increase ; and even in olden times there was no lack of them.



Photo

MUSEUM OF FINE ARTS, BUDAPEST.

Dizáld

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There are libraries on Hungary which have been in existence since the fifteenth and sixteenth centuries ; and, side by side with the public libraries, the passion for collecting books has produced many a valuable private library.

In a small and short sketch of this kind, we cannot even attempt to treat, even cursively, of *Hungarian Literature*, which displays the part played by the Hungarian nation in the intellectual work of mankind. Yet it is just in point of its literature that the Magyar nation stands so high, a literature which unfortunately is least of all known to educated foreigners. The Magyar tongue is not a world-language ; there is nothing to incite foreigners to learn it ; and its construction and system, so different to that of any Western European language, makes it peculiarly difficult to learn. The little of Hungarian literature that has been translated into other languages is only a faint copy and fails to give even the slightest idea of the beauty of the original. On the other hand, Hungarian literature is particularly rich in renderings of the masterpieces of the great literatures of the world. Its power, music, and elasticity renders the Magyar tongue peculiarly adapted to the reproduction of either classical or Western metres. A small paper, published on the occasion of the present exhibition in London, contains a full bibliography of the Hungarian-Shakespeare-literature. If one single foreign writer (even though

he be the greatest, as in this case) has been able to inspire a literature of those dimensions in any language, it may be imagined that the whole literature composed in that tongue is no mean or backward one.



STUDENTS' PROCESSION, INDEPENDENCE DAY (15TH MARCH).



STUDENTS' STANDARD, INDEPENDENCE DAY (15TH MARCH).

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CHAPTER VIII

THE STATE CHILD

By PERCY ALDEN, M.P.

The Protection of Infants.—Apart from the work of elementary education in Hungary and the special institutions for the treatment of physically and mentally defective children, the protection of children, including the protection of infants, is a work to which the greatest possible importance is attached. Infant life protection was encouraged in the first place by Countess Theresa Brunswick, and it was owing to her interest that the idea of homes for infant children began to gain ground.

The first Home was founded at Buda in 1828, and in 1836 the Association for the Establishment of Homes for Infant Children in Hungary was already established with Count Leo Festetics as its first President, and Louis Kossuth was one of the first members of the Council. The whole movement passed through vicissitudes owing to the war of independence. It was not until the sixties that the cause of infant protection took a new lease of life, when in 1865 King Francis Joseph

and Queen Elizabeth gave it their patronage. To the Association is due the development of the Froebel Kindergarten and the Ladies' Central Froebel Association. These two associations, together with the Hungarian Infant Protection Association, are still the centres of social effort so far as the infants are concerned. Subsequently, in 1876, the State itself began to undertake the maintenance of Homes for Infant Children. When the first State Home for Infants was opened, there were already 215 Infant Homes in working order (founded partly on a sectarian basis) attended by 18,624 children under the care of 315 teachers.

From this time forward the State provided for infant protection with increased activity. A great influence was exerted on the legislative settlement of this cause by the Infant Homes Exhibition arranged in 1889 at Budapest, the variety of which convinced everybody of the success hitherto attained by the cause of infant protection, and at the same time of its importance for the whole country. There were then already 703 institutions working, with 829 teachers, and a total capital exceeding 4,000,000 crowns.

Under such circumstances neither the State nor the Legislature could delay any longer the legislative settlement of infant protection. Count Albin Csáky, at that time Minister of Public Instruction, prepared the Bill which, as Act XV

of 1891 on Infant Protection, received sanction on April 28, 1891. This Act, which is being still further amended, raised infant protection, as an important factor of national culture and power, to the level which befits it ; it stated the obligation of establishing Homes for Infant Children, in connection with the compulsory attendance of children at such Homes ; the objects of Infant Protection and the means of attaining them, together with the sources of maintenance, were thereby defined. The training of Infant Home teachers, the oversight and management of the Homes, was naturally founded upon the duty of the community of maintaining the schools, in harmony with the Elementary Education Act.

The Objects of Infant Protection.—According to the Act of 1890, the object of infant protection is to nurse and take care of children from three to six years old, to perfect the fundamental work of education, to develop their physical skill, intellect and temperament suitably with their age, and to help forward thereby their physical, mental, and moral development. There is no place in Infant Homes for the tuition assigned to the elementary schools ; but, on the other hand, it is a work of first importance to facilitate the task of Hungarian-speaking schools existing in provinces where other idioms are spoken in appropriating the Hungarian tongue, and to help on their general culture by these means.

There are for this purpose—

(1) Infant Homes under the management of qualified mistresses or masters ;

(2) Permanent Infant Asylums under the management of qualified persons.

(3) So-called Summer Asylums for Infants.

Where any of the above-named institutions exist, every parent is obliged to send his or her children from the ages of three to six, of whom proper care cannot be taken at home, to the existing Infant Home, under penalty of a small fine. The conditions as to what may be understood by proper care are defined in the regulations for carrying out the Act.

Those authorised to maintain Infant Homes are the State, the religious denominations, legal corporations (associations, unions, municipal authorities), and certain private persons. Private persons are obliged to apply for permission to establish an Infant Home to the Royal Inspector of Schools.

The obligation to establish Infant Homes according to the divisions above mentioned is as follows :—

(1) *a.* Every municipality with autonomous rights. *b.* Every county town regardless of the taxes paid, and every community in which contribution to the revenue exceeds 30,000 crowns ; and if in such community there is no Infant Home ; or if the number of children uncared for is above 40



Photo

SCENE IN CITY PARK, BUDAPEST.

Dreid

[To face p. 316.

for whom there is no accommodation in an existing Home.

(2) Permanent Infant Homes must be established in communities in which the tax is between 20,000 and 30,000 crowns, and if there are not less than 40 children uncared for.

(3) Summer Infant Asylums must be established in every community, finally, whose tax does not exceed 20,000 crowns, and where there are not more than 15 children uncared for ; if for this purpose the resources of the community are not adequate, it is allowed to impose a supplementary tax of 3 per cent. on the State Tax.

The State may employ for the maintenance of its own Infant Homes this tax of 3 per cent. in so far as it has not been already taken up for Infant Homes by the community. Furthermore the law provides that where there is no other Infant Home, infants must be received into sectarian, association, or private homes without regard to religion or language. The Infant Home work usually lasts for three hours in the morning and two hours in the afternoon. It is a rule that the children should not be all together except in the round games. Occupations for the development of the intellect must, as a rule, be taken at the beginning of the day's work. To form the mind and character (temperament) the games and conversation, fairy tales, stories, learning poetry, singing, and, further, manual occupations, are

important. Instructions in relation to these differ from the Froebel system, in so far as they do not excessively hinder the exercise of the child's will, do not overcharge the child's mind by forcing all its capacities, but leave a wider scope for the child's freedom, while protecting him from excessive demands upon his physical and mental powers.

Statistical Data.—In 1906 *regular Infant Homes* existed as follows :—1. State, 527 ; 2. County Council, 18 ; Municipal, 645 ; 3. Roman Catholic, 185 ; 4. Greek Catholic, 1 ; 5. Reformed Church, 6 ; 6. Evangelical, 16 ; Greek Oriental, 17 ; 7. Jewish, 3 ; 8. Association, 130 ; 9. Foundational, 17 ; 10. Private, 66 ; Total, 1631.

Permanent Infant Asylums : 1. State, 30 ; 2. Municipal, 162 ; 3. Denominational, 16 ; 4. Others, 22 ; Total, 230.

Summer Infant Asylums : 1. State, 25 ; 2. Municipal, 596 ; 3. Denominational, 94 ; 4. Others, 19 ; Total, 734.

In all these divisions together there are : (a) State, 582 ; (b) Municipal, 1421 ; (c) Denominational, 338 ; (d) Others, 254 ; Total, 2595. Amongst these there are 1913 which make use of the Hungarian language only.

In these Homes 245,214 children were taken care of, amongst whom 57% were Hungarian-speaking ; there were 1963 certificated mistresses ; 427 certificated nurses and 332 uncertificated nurses. The whole staff was therefore 2722 ;

the expense of maintenance in round numbers was 3,000,000 crowns. If we take into consideration that the number liable to attend the Homes is 1,130,000—although those uncared for at home are put down only at 220,000—the greatness of the task which lies before Homes for Infant Children is evident.

According to the few statistical data above given it is evident that the State makes considerable sacrifices in the interest of Infant Homes. The majority of the Infant Homes maintained by the State are fitted up in a model fashion ; and, with the exception of one or two located in rented houses, they are in model buildings ; also there is generally connected with them a hall for games, and a hall for work, a lodging for the matron, a yard and playground, and a covered shed in the yard.

Infant Homes are usually established by the State, (*a*) where the work of larger State elementary schools requires to be facilitated by Infant Homes, chiefly in respect of the acquisition of the Hungarian language, or (*b*) where Infant Protection, or the reinforcement of national power is required, chiefly with regard to economic circumstances ; (*c*) finally, where the arrangement or neglected condition of the whole of the national education makes it absolutely necessary for the State to take into its own hands the management of the Infant Homes, or to give them a national direction.

The Protection of Children.—The protection of children in Hungary is partly in the hands of the State and partly in that of voluntary charitable societies. The State boasts two kinds of large institutions concerned with the protection of children : (1) State Asylums under the control of the Home Department, and (2) State Reformatories under the control of the Ministry of Justice.

It is with the first that we are at present concerned. The mission of the Asylum is twofold : in the first place, to save the life of the children, and, in the second place, to reform those who have been mentally and morally neglected. In this respect they work in close harmony with the reformatories.

Before the year 1898, the protection of children was the concern of charitable societies only. Of the many charitable institutions existing to this end the most prominent were the White Cross Society, which had a large institute in Budapest and eleven branches in the provinces, and the First Budapest Association for Children's Asylums.

In accordance with Act XXI of 1898, a State fund was raised to cover the expense of publicly nursing the sick. This law provided that the expenses incurred in nursing, educating and bringing up foundlings to the age of seven should be defrayed from the same fund. The legal provision referred to preceded the enactment of the legislative measures of 1901 on the protection of children.

According to Acts VIII and XXI of 1901, the State provides for the education of foundlings and such children, below the age of fifteen, as are declared by the authorities to have been abandoned by their parents. For this purpose the State has to build asylums in various parts of the country. According to a recent decree (1907) of the Home Department, the protection of these asylums is accorded to children exposed to evil through their environment and who are on the point of becoming vicious—*i.e.* who show evil tendencies. The Home Department has a separate branch for the protection of children, which, with all the other institutions for the same purpose in the country, are under the control of a State superintendent.

This is in brief an outline of the present legislation on the subject, but it would be as well to give a little more detail as to the steps by which the State was led to play such a large part as over-parent in Hungary. From 1871 to 1898 many partial attempts were made to deal with the child question. The matter was in the hands of the local authorities and communes, and they, as is so often the case, refused to make themselves responsible for their foundlings and for the little children of the very poor, on the ground that their first duty was to keep down the rates—an argument not unknown in England. As a consequence, these infants and children, who should have been cared for by the

district, perished in thousands, and the State, roused to a sense of the gravity of the situation, passed a law in 1898 by which the maintenance of all deserted children under seven was made a charge, not on the local rates, but on the "Hospital Fund," which consists of 5% of the amount raised by all direct taxes. At the same time it was determined that the term "deserted" should be extended so as to include children who were orphans or whose parents neglected and ill-treated them, or children whose parents were either unable or unwilling to support them.

Up to this time there has been insufficient accommodation for orphans and for neglected children, and the Government speedily found themselves in difficulties. An arrangement made with two philanthropic associations was not wholly successful, and finally the Home Secretary—at that time M. Koloman Széll—determined that the State could do more economically what the societies were doing. It was not intended to deprive the philanthropic societies of their work or responsibility, but it was felt that the State must actually feed, house and clothe the children who could not otherwise be properly cared for. The State Refuge Bill of 1901 provided the money for these establishments. In addition to this, it was soon discovered that it was not sufficient to take charge of the children until they were seven, and so an additional Act was passed by which the State had charge of all

deserted children up to the age of fifteen, unless they were in orphanages or similar institutions ; but the cost of maintaining the children over seven years of age was to devolve on the local authorities.

Thus the State Department, with its headquarters in Budapest, has charge of all the children in Hungary, and, whether they be rich or poor, they are entitled to protection against cruelty or neglect. The philanthropic societies, so far from having nothing to do, are all federated and work side by side with the State Department, to ensure the carrying out of the various Acts and to safeguard the work of the system in each district.

The whole of Hungary is divided up into seventeen districts, in each of which there is a State Children's Refuge. In these seventeen State asylums there were on January 1, 1908, 35,242 children. There is also in each district a Children's Law Court, not so much as in England for the trial of child offenders as for the guardianship and protection of children who are under the care of the State. It is the business of the court to see that the interests of each child are safeguarded, and to follow its career. The moment a court receives a notice, whether from the local authority, a philanthropic society, or some responsible person, that a child is being ill-treated or neglected, that it is not receiving sufficient food or proper education, or is exposed to demoralising influences, it immediately takes action. In the first place, it interferes by

warning those who are responsible for the child what will be the result of continuance in this conduct. Supposing that a father has neglected his child, he is told that he will be deprived of the rights of parentage, that the child will be taken away from him and handed over to the Children's Refuge, and that he will have to pay the cost of maintaining it. Sometimes the father is actually caught in the act of ill-treating a child, in which case it is at once taken away from him and sent to the nearest Refuge. In the same way, infants that have been deserted, or the waifs and strays of the street, or the children whose parents are in prison or hospital, are sent forthwith to the Refuge, and the circumstances are reported to the Children's Tribunal. This tribunal has power to inflict punishment upon any one who is responsible for the wrong-doing. In the majority of cases the children have no parents, or their parents are too poor to feed them. If any parent finds himself unable to support his child, he can, if he wishes, hand it over to the authorities of the town or commune, and the local authority conveys it to a Refuge, unless evidence is found to prove that the parent or parents have misrepresented the circumstances of the case.

All this may seem to be reckless State interference, but in reality it is a wise and far-seeing expenditure of money. Wherever there are relatives who are able to assist, they are expected

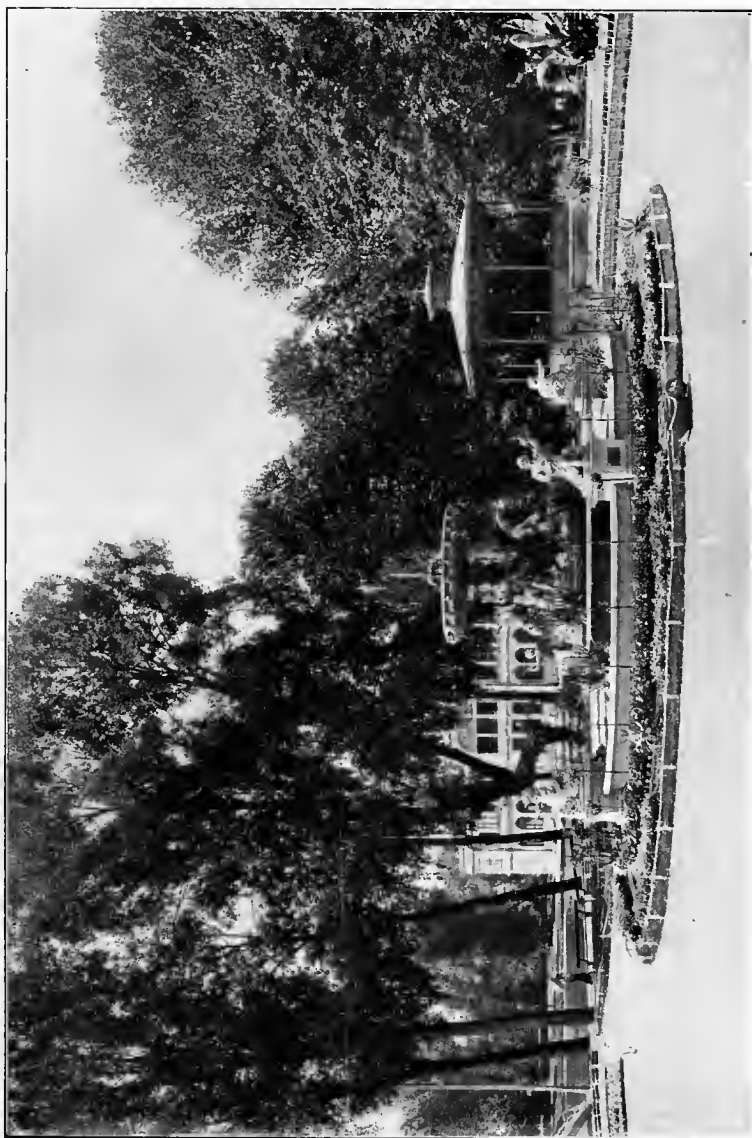
to defray the cost of maintenance, and they can be punished for refusing to do so or attempting to evade the law. Where there are no such relatives or none able to defray the cost, the State does not hesitate in any way to take full responsibility.

But the Refuge is only a clearing-house, except in so far as it is a sanatorium, for there is always a special department for children who are too ill to be handed on. The Hungarian Home Department very early in the history of its child work came to the conclusion that large institutions were a mistake, and therefore not more than about 5% remain in the Refuge ; the remaining 95% are boarded out in the homes of peasants and in villages that are especially chosen for this purpose. These villages become children's colonies, and it is the business of the Refuge director carefully to watch the colonies with a view to seeing that the sanitation is good, that they are free from infectious disease, that the education facilities are adequate, and that the schools are well managed. If the village authority fails to comply with his regulations it is struck off the list—not only a loss of honour but also loss of money, for the peasants in these villages are naturally advantaged by the small sum which is paid for the care of the child. The village must have a fairly good climate and plenty of open space for playgrounds, while the foster-parents must be able to maintain the children in comfort, and not merely use them as a

source of profit. Another condition is that each village should have at least thirty women in it capable of acting as foster-parents. These peasants or artisans must have a cottage of their own, and not live in one room. Wherever a peasant has a cow of his own, he is more likely to receive a child than if he has not. It follows that the wife or widow must look after the child herself, and must not hand it over to any one else. If the treatment of the child is certified by the inspector and by the Ladies' Voluntary Committee to be good, after three years the foster-parent receives a present from the Home Secretary and a certificate of good conduct. The number of children sent to each village varies in accordance with the number of other children to be found in that village, the idea being that all the children boarded-out from the Refuge should be absorbed by the village, and not become a distinct class.

For the benefit of children who are under State protection, 238 village colonies have been now established where, besides older children, infants are received and cared for. About 85% of the children under State protection are placed in private families, and we may therefore say that the institutional side only exists in so far as it is absolutely necessary.

This system has only been in operation now for a few years, so that perhaps it is too early to judge accurately of its success. Nevertheless it must be



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IN THE PARK, KOLOZSVÁR.

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admitted that the fears which were so frequently expressed as to the dangers attendant upon this novel experiment have not been justified. So far from a rush to hand over their children, on the part of the poorer section of the working classes, nothing is more pathetic than the efforts which are made to keep them to the very last moment. The whole of the children at present under the guardianship of the State number in round figures 35,000, and a very large percentage of these would have to be cared for in any case, either by some society or by the nation. It was also thought that illegitimate children would become more common when the restraint of prudence was removed, but as a matter of fact the statistics of the Refuges prove that the number of illegitimate children has decreased by 7%, and the death-rate amongst such children has also been sensibly reduced, while the general infant mortality is higher by nearly 4% than the death-rate prevailing amongst infants in charge of the State, notwithstanding the fact that the State children are for the most part the sons and daughters of the poorest and most unfit.

The cost of the State protection of children in Hungary in 1907 was £210,722, which as compared with the cost of the English Poor Law is remarkably little. Even after making all due allowance for the greater economy possible in Hungary and for the lower standard of living, it is

a proof, if proof were needed, that the best possible method is not necessarily the most costly.

This chapter should not be concluded without some reference at least to the very important charitable institution known as the Hungarian State League for the Protection of Children. It is by far the most valuable charitable institution in the country, and its sphere of activity extends over the length and breadth of the land. Indeed, the Government has recognised its importance as one of the State's auxiliary forces in the work of Child Protection, and, as such, has invested it with an official character. This fact, together with its extensive organisation, has tended to increase its importance and its usefulness. Its membership is unlimited, and anybody may join the League who contributes to its funds. At the present time there are over 50,000 members. The operations of the League include all phases and branches of Child Protection, from earliest infancy up to latest youth, and its activity is limited only in cases where the League's assistance would clash with that of the State. Where Governmental inquiries or action would prove prejudicial to the interest of either parents or children, the League is ever ready to take up the matter.

Children who are sick, deaf, dumb, blind, epileptic, scrofulous, phthisical, deformed or crippled, are sent by the League to medical institutions and watering-places. Arrangements are also made

to send children to health-resorts during vacation time, while children endowed with special talents are afforded opportunities for higher education ; and in this respect no exception is made with regard to children of foreign nationality.

The League provides for the children under its charge to be placed either in its institutions or in private families living on its settlements. In the latter case the children are under the supervision of a physician belonging to the asylums. On the other hand, such children as have been exposed to immoral influences (or have lived in an immoral atmosphere), or who have already shown vicious tendencies, are put into the League's own institutions under strict observation. At the present time the League possesses three such institutions : one in Budapest for girls, and two for boys—in Rakos-Keresztur and Sopron respectively. Three others are in course of erection, at Szeged, at Szaloncza, and at Nagy-Szollos. Each institution is staffed by a director and the necessary number of teachers. The children are instructed in various branches of domestic knowledge and usefulness. In the new institutions, agricultural, industrial and horticultural instruction will also be given. When the children have acquired proficiency in these studies, they are put out with farmers or other employers for practical experience, while remaining still under the protection and control of the League. In any case where the League fails

to obtain the desired result by its own educational methods, the child is forthwith transferred to the State reformatory.

For the benefit of the boys, the League has entered into agreement with one of the marine associations to receive such boys as desire a naval career, to train them for seamen. And further, on the League's initiative, a training ship is to be built for the training of forty boys annually. The League makes pecuniary grants also to midwives, in cases where such assistance is needed, and at the same time assists by introducing them to families. It further supplies drugs, bandages, artificial legs, etc., gratis to all in need, as well as financial aid to the deserving poor.

CHAPTER IX

THE INTELLECTUAL LIFE OF HUNGARY

By Prof. ZSOLT BRÖTHY

THE earliest poetical myths of the Hungarians reveal the influence of national politics. Those who occupied the fatherland under the leadership of Árpád at the end of the ninth century learnt, from people who had lived under the rule of the Huns, the traditions of that most powerful of rulers, King Attila. These are the legends out of which were woven the latter parts of the *Nibelungen-lied*. These the Magyars accepted as their own, declaring the Huns and the Magyars to be brother nations, descendants of Hunor and Magyar. The world-ruling Attila they proclaimed as their own ancestor, and his land as their rightful inheritance. Of all the stories the various nations tell about Attila, those of the Hungarians surround the King's form with the greatest splendour, they alone invest *The Scourge of God* with the attractive form of a hero after the people's own heart. Some of the legends of the Hungarian occupation of the fatherland are interwoven with the

traditions of the Huns ; the Hungarian traditions alone have preserved the memory of Prince Csaba, another of the heroes, and it is characteristic that from him who went into exile because he could not do homage to the stranger and live at peace with him, is traced the descent of Árpád, the founder of the Hungarian nation.

The form of the fabulous Álmos, the father of Árpád, appears in connection with the Hun legends ; his mission to lead the Magyars into their present fatherland is announced by a strange bird. The wanderings ; the treaty sealed by the blood of the chiefs ; the elevation of Árpád to the sovereignty ; his successful battles, and those of the seven leaders, which wrested the possession of the country from its previous owners ;—all these form the subjects of the second great cycle of primitive Hungarian poetry, *The Legend of the Occupation of the Fatherland*, of which the principal heroes are Lehel with his horn and Botond with his battle-axe. These stories were kept alive by the minstrels as they sang to the sound of their harps in camp and in village. Of the texts of these songs nothing remains. The subjects of the ancient legends we know from our Latin chronicles, dating from the end of the twelfth century.

Stephen, king as well as saint, with apostolic zeal converted his people about the year 1000 A.D. to the Roman faith. He entered into family

alliances with Western dynasties, organised the new church and newly reconstituted State. On the ruins of the old Pannonian Christianity the new Hungarian Church was built up by missionaries from Upper Italy, who became the first teachers of the faith and of the knowledge and use of Latin. The independence of the old tribal chiefs fell before the newly-established royalty. The tent of the prince became a splendid court ; among his former companions in arms there mingled a crowd of foreign knights, but the chief priests of the new church took rank before them. In the early stages Heathendom several times attempted resistance, but always in vain. The nation, under the leadership of an able line of princes, became permeated by the spirit of Christian civilisation, and that without sacrificing the political interests of the people. In spite of having become Christian the nation has preserved to this day the original pagan expression, *The God of the Hungarians*.

Hungary gradually became filled with Christian institutions, with monasteries, churches, schools, etc. Under the kings of the house of Árpád the University of Veszprém was founded. These are evident in the most ancient products of the literature which has come down to us. The oldest, *St. Stephen the King's fatherly Counsels to his Son Prince Imre*, is in Latin, and discourses on the virtues of a Christian and Hungarian sovereign. Its four chief

ideas are : fidelity to the faith, the kind reception and treatment of foreigners, the respect due to the traditions and laws of the nation, acceptance of the counsels of the wise and good, and the holding in especial honour of the men-at-arms. Prince Imre died young, but the royal counsels of the Hungarian sage became the foundation of Hungarian politics.

From the beginning of the thirteenth century dates the earliest written memorial of our language—a short funeral address and supplication—which, though it furnishes examples of difficult application, reveals a certain rude strength, which remained the chief characteristic of Hungarian prose down to the influence of the French in recent times. Our oldest verse is not of much later date, viz., a mutilated copy of a hymn found at Königsberg, a fragment which, in vivid rhythm, tells of vows to the Virgin Mary, whom Hungarian Christianity venerated as the patroness of the land. The requirements of religion brought into being many such liturgical prayers and hymns in the Hungarian language.

Religious writings thus increased more and more—translations of the Scriptures, legends, sermons, prayers, and hymns. The remains of this monastic literature, preserved in mediæval codices, have been published by the Hungarian Academy in thirteen large volumes. These not only show the development of Hungarian style,



Photo

STATUE OF KING MATTHIAS AT KOLOZSVÁR.

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but also the effect upon us of the world-wide movements of ecclesiastical life. We can trace the influence of Hussism in the Bible translations of the fifteenth century. The Dominican philosophy of St. Thomas Aquinas appears in the sermons and disputations of Nicholas de Mirabilibus, while the spirit of Franciscanism, that of popular and daring devotion, can be recognised at its height in Temesvári-Pelbárt, a preacher of world-wide fame at this time.

The men of the renaissance had already found their way into Hungary at the time of King Sigismund, and were found in the palaces of the Archbishops of Esztergom, Szécsi Dénes, and Vitez János, but they received a specially warm welcome from the Hunyadi family. King Matthias was completely captivated by the spirit of the renaissance. Italian artists built and decorated his palace, amongst them Benedetto de Majano. A crowd of Latin historians, orators, and poets surrounded him; Bonfini wrote his history, Galeotti chronicled his sayings. He became inspired by these new ideals; he read, he disputed in their circles, and kept up a close connection with the great humanists of Florence. He collected one of the most celebrated libraries of his time—the Corvina—consisting of between six and seven thousand volumes. A whole army of copyists and illuminators worked for him in Hungary and Italy, and at the news of his death the price of books went down in all

European markets. Besides collecting these treasures of the mind, he naturalised its most powerful weapon, the printing press, in 1472, thus anticipating England, Austria, the Netherlands, and Spain. The plans for the erection of many churches and schools originated for the most part in the royal court. Virgil became the ideal poet, and down to the beginning of the present century inspired the spirit and the form of the Hungarian epic. In the struggle for the Virgilian wreath it was Marfilus Ficinus and Janus Pannonius, pupil of Guarinus, later Bishop of Pécs, who went furthest of Matthias's learned circle and attained to European fame. The latter was a genuine humorist, eloquent and flattering, only nominally a Christian, vain, sensual, and intriguing, yet the chief ornament of his time. The royal court at Buda was the centre of civilisation and culture in the days of the renaissance.

On the death of Matthias, however, the splendid intellectual monument he had reared quickly fell into ruins, and of all its splendours nothing remains except the gold of the miniatures of Attavante and Gherardo in the few codices that still remain of the Corvina. The professors and artists were dispersed, the books were carried away by the Germans and Turks, the palaces and villas were ruined, the bronze statues were destroyed and melted down into cannon. But it did not perish without leaving some traces behind. Humanistic

and philological studies at the High School at Buda paved the way for the Reformation, so that the various stages of transition can be pointed out in Erdösi and Gabriel Pesti. Moreover, the ideals of classical, and especially Latin, poetry were revived by the renaissance and appear in the greatest writers of the time, in Balassa, Zrinzi, and Gyöngyösi.

The great period of King Matthias witnessed a melancholy end. The disaster of Mohács, in 1526, entirely changed the whole course of Hungarian nationality ; from this time forward its independence was only to be maintained by its inherent strength. For 350 years no Hungarian king sat on the throne at Buda. One part of the country, including the capital, fell under direct Turkish rule ; another part organised itself as the Transylvanian principality ; while a third portion, under the Kings of the House of Hapsburg, waged warfare for the liberation of the fatherland and the re-establishment of its unity. Political parties, religious disputes, the struggles between oppressors and oppressed, wars of diverse interests, both public and private, were for centuries a source of anarchy, uncertainty and misery. But all this rather developed than crushed the soul of the nation. The danger which threatened nationality on the part of German kings only strengthened the love of the Magyar language and promoted its cultivation ; the continuous wars encouraged disinterested

and self-sacrificing heroism, and treason abounding on every side served to strengthen the moral sentiment of the people. In all these ways Protestantism did great service, and amidst general misery it spread so rapidly that in a hundred years it extended over almost the whole nation.

This Protestant conversion was the first movement of culture which had affected the whole nation since the introduction of Christianity. The preachers of the new faith appeared in hundreds as the apostles of a culture that was at once deeper and more national than any that had preceded it. They preached and sang, and founded schools—among them those of Sáros-Patak, Debreczen, and Papa, which are flourishing to-day. They developed a marvellous literary activity, and set up a great number of printing establishments; they themselves sold their publications in tents at the fairs. To their zeal we owe the first Hungarian grammar, the first dictionaries, the first translations of the classics, the first attempts at Hungarian versification, the first Hungarian historical works. The fundamental condition of national culture—that a nation should speak its own language—was carried out by them thoroughly and completely, though they, of course, regarded religious propaganda as their chief work.

They prepared a whole series of translations of the Bible, among which was the Bible of Károligi Gáspár, which attained the highest

reputation and is regarded with respect at the present day. Their doctrines were proclaimed, and many challenges were hurled against the old faith. The Catholic Church, torn by division, took up the gauntlet, and many were the struggles that followed.

With the beginning of the seventeenth century our literature assumed a more aristocratic character, and Protestantism lost its hold. The counter-reformation commenced, and the Imperial Court and the military supported it with a violence and zeal inflamed by the Thirty Years' War. An army of Jesuits settled in the country who, with their weapons of learning, enthusiasm, and violence, pressed the Protestant clergy out of the assemblies, schools and churches, and sent the most steadfast among them to prison and the galleys. In the counter-reformation Peter Pázmány, Cardinal Archbishop of Esztergom, was the most prominent figure. He used against his opponents, not only literature and oratory, but also the weapon of a popular Hungarian style, which he wielded with more force than all the rest. He wrote his numerous controversial pamphlets in the language of the people, and succeeded in vanquishing every opponent that dared to attack him. These pamphlets were afterwards published in his large work entitled "*Kalauz*" (guide), which also contains his sermons. He converted almost all the magnates ; and by his eloquence and firmness, and

perhaps by showing in his own person that the most thorough Magyarism was compatible with Catholicism, he became the second founder of the Roman Church in Hungary. He provided also for its future by his foundations, the most conspicuous of which was the Jesuit University of Nagyszombat (founded in 1635), of which the University of Budapest is an offshoot. This former school and the palace of Pázmány were the birthplaces of the excellent translation of the Bible by George Káldy. Transylvanian Protestantism alone remained unshaken by these attacks. Its greatest exponent, Albert Motnár of Szencz, spent much of his life in wandering from one German university to another ; in his own country he never found rest, scarcely bread. It was abroad that he wrote his Hungarian grammar and dictionary ; abroad he adapted to French tunes his version of the Psalms, and this version is used to-day in the Calvinist churches. He also translated into his mother tongue Calvin's chief works.

The greatest Hungarian of the century spent his youth in the company of Pázmány and within the walls of besieged fortresses ; this was Count Nicholas Zrinyi, Ban of Croatia, the terror of the Turks. He was the glory of his nation, while he was known and honoured by the whole Christian world. The ruling passion of his whole life was to drive out the Turks, but with national forces alone, so that we might not purchase our freedom from

them by slavery to some other power. With a spirit nourished by travels in Italy and by the use of the celebrated library at Csáktornya, he discusses his plans in the works he has left behind him. The same ideal appears in his poetical masterpiece, *Obsidio Szigetiana*,^f the subject of which is the heroic death of his ancestor at the defence of Szigetvár against Suliman the Magnificent. The laureate's crown did not, however, fall to Zrinyi, but to his contemporary, Stephen Gyöngyösi, a county magistrate of Gömör. In his stories drawn from the history of his own times, war and love, mythology and allegory, are mixed together according to the fashion of the period. He sang the Venus Murány, Maria Szécsi, whose besieged fortress the chivalrous Francis Wesselényi alone could gain, and with it her hand. He celebrated also the love of John Kemény, later Prince of Transylvania, and Anna Lonyai; of Imre Tököli and Helena Zrinyi. For his "Alexandrines" Gyöngyösi was unrivalled till Arany came.

Other struggles of the period found voice in the works of the poets. The constant policy of the Imperial Court, now at Prague, now at Vienna, was the suppression not only of Protestantism but also of national freedom. At times the Princes of Transylvania raised armies in defence of Protestant and Hungarian interests, as did the Swedes in Germany; and Bocskay, Bethlen, and Rákóczy I, with their adherents in Hungary. Roper contrived

to bring about a more tolerable condition of affairs. Gabriel Bethlen and George Rákóczy, with the vigorous bishops and learned men whom they had summoned from abroad to teach in the schools, displayed great zeal in the development of an education whose spirit was to be both Hungarian and Protestant.

From these movements arose John Cseri, of Apáczá, the first Hungarian Professor in whom enthusiasm for knowledge was most intimately blended with patriotism. The first pupil of Descartes, some years after the great rationalist's death he published his fundamental principles in his *Magyar Encyclopædia*. He came into collision with various interests, including Protestant Orthodoxy, and died while still young. His efforts, however, were not in vain ; he had for collaborators, not only professors and clergymen, but soldiers and diplomatists, princes, and even royal ladies.

The last and most noble representative of this mediæval literature was the companion in exile of Francis Rákóczy II, Clement Mikes, who wrote his *Letters from Turkey*. These speak of the mode of life of the Hungarian refugees in Turkey, but still more of a warm and faithful heart that maintained an enthusiastic loyalty for his exiled king. These letters of Mikes are the last literary utterances of the century-struggle which the persecuted nation continued against its kings on account of

the tyranny and religious prosecutions of the Court of Vienna. These campaigns and insurrections by slow degrees lost their Protestant character, until under Francis Rákóczy they became a purely national movement. Their Magyars regard these wars as their own proper history, whose glory and distress concerned themselves alone—much more than the wars against the Turks, which were waged with foreign help. This sentiment is expressed in the poetry of the time recounting the insurrections of Tököli and Rákóczy. In these warlike songs we learn of the wild boastfulness of the Haiduck and the Huzzár, the blind love of daring, the passion of race, the fierce joy of the warrior's life, with the religious motive ever in the background. The songs sung under the walls of Vienna must have been much the same as those sung 800 years before under the walls of Augsburg. These songs of war ended in the bitter wailing of the refugee and exile, the most celebrated instance being the *Rákóczy Song*, composed after the great defeat of Trencsén, from which Berlioz and Liszt have produced the world-famed *Rákóczy March*.

Through Turkish ravages and civil wars the nation became exhausted and much diminished in numbers. The peace party came into power by the treaty of Szatmár in 1711, and the country entrusted itself to its leading. There was no longer a prince of Transylvania. Hungarian politics therefore changed their direction ; from this

time forward the Hungarians sought to attain by loyalty to the reigning house what hitherto they had attempted to wrest from it by the sword. All parties united in accepting the succession in the female line. The kindness of Maria Theresa, a wise and beautiful queen, touched the heart of the nation, and its enthusiasm thus evoked in her behalf saved her throne during the wars of the succession. Then followed a period of peace and progress, administration of justice, and of public education. But Vienna drew our country within the sphere of its influence; without a royal court and a capital, the nation imitated Vienna in language, fashion, and spirit. Our nobles broke one by one with their family traditions, and settled in the neighbourhood of the Court where distinctions awaited them. Thus the higher ranks of our society became Germanised. Culture and Magyarism parted company. The literature of the time in which the Jesuit played the leading part was written in Latin. The histories of George Pray and Stephen Katona were written in this language, and so were the works of Jesuit theology; in this language our works on comparative philology and the history of literature were first begun. But Peter Bod, the warm-hearted pastor of Magyar-Igen, shook his head at Latin and composed in Hungarian his history of the Protestant Church and of Hungarian literature.

The two chief causes of the depression of the

national life at this period were, first, the suddenness of the change, and, secondly, the mediocrity of the times. The Queen, in gratitude to the Hungarian nation, established at Vienna a Hungarian body-guard consisting of youths of noble families, and to the members of this body-guard we owe the re-birth of Magyarism. At the head of these inspired youths stood George Bessenyey, whose career illustrates that of his nation. In Vienna there awoke within him a feeling of his own intellectual poverty and that of his nation, and a passionate desire to educate both himself and his country. For ten years he studied languages, literature and Western ideas, and then set about instructing all who surrounded him. Bessenyey's companions amongst the Royal troops became immortal as the vanguard of the new Hungarian literature and culture. Of these were Alexander Báránczy, translator of *Mármontel* and *Calprenédé*, to whom Hungarian prose owes much of its euphony and fame. Meanwhile in the country itself Joseph Péczeli, the enthusiastic cleric of Komárom, joined the new school.

Nicholas Révai, the great comparative philologist, was conspicuous among the poets of the Latin School which came into vogue at this time; also Benedict Virág, who besides his poems wrote a history of the Hungarian centuries (*Magyar Századok*).

The works of Gyöngyösi became fashionable at

this period. People read far and wide the verses of the Görnör magistrate, and saw in him the most powerful manifestation of Hungarian poetic genius. In this way rose the Hungarian School. The policy of the Emperor Joseph, in making war upon our language, constitution, and traditions, only caused us to cling the more tenaciously to our own nationality. The works of Gyöngyösi were used as a means of agitation against that policy. The chief leaders of the movement were a professor of Szeged, Andrew Dugonics, and a cavalry general, Count Joseph Guadányi, sprung from an Italian family. The first wrote tales in verse, and translated into Hungarian the German dramas of chivalry, but his name is chiefly famous for his historical novels. Guadányi, rough and inartistic, has in satirical verse created a character that will never die, the notary of Peleske. He vividly depicts Hungarian life, and severely attacks the degenerate Hungarians of the capital who have become foreigners in speech, customs, and habits.

The agitation was successful; the Emperor Joseph died a disappointed man. Hungarian reaction broke out with renewed vigour in the Diet of Buda of 1790. The crown was brought back, the tunes of Rákóczy resounded on all sides, Hungarian costumes made their appearance; the *mot d'ordre* was to securely establish the old feudal system, and on this foundation to develop and strengthen Magyarism. The inauguration of a

National Academy was proposed, and in Transylvania a society for the cultivation of the national language even began operations. The number and influence of Hungarian newspapers and periodicals increased daily. A young writer, Joseph Kárwán, is conspicuous at this period. His name is famous in our literature by a well-known novel *The Legacy of Fanny*. This young advocate, who had studied at Vienna, edited the first Hungarian periodical for ladies, the *Urania*; and he also wrote, under the title of *The Beautifying of the Nation*, the best programme of the new Hungarian culture. It appears that he took part in the conspiracy of Martinovics, but escaped the consequences by his early death.

Two distinguished poets flourished at this time : Michael Vitéz of Csokona, a student of Debreczen, and Alexander Kisfaludy. The former was a son of a noble family and an officer of the army, who took part in the French wars and then settled down to the life of a country gentleman. The scene of his inspiration was the neighbourhood of the ruined castles on the hills beside Lake Balaton. While abroad he learnt to know and love Petrarch. Under his influence he began to write in Italy and Provence his well-known *Songs of Himfy*. Kisfaludy also wrote tales in verse of the ruins by Balaton, with their chivalrous suggestions of knighthood and love. This poet taught his nation new noble sentiments rather than new ideas.

Vitez and Kisfaludy were the favourite poets, but the leader of the literary life of this period was Francis Kazinczy, a squire of Zemplén, one of the old school of liberal opinions. He suffered a long imprisonment, from which he was set free in the first year of the century. He began his literary career as an author of sentimental songs; but he does not owe his fame to these works, but to his marvellous enthusiasm, his extensive erudition and cultivated taste, in fact, to his whole personality, which for the first time showed Hungary the ideal of a modern *littérateur*. He translated a great deal from ancient and modern writers, Cicero and Sallust, Shakespeare, Molière, and Goethe. He edited periodicals; his correspondence with authors and literary friends fills a long row of stout volumes and forms the richest source of our literary history for the period of half a century. These letters are the finest models of style. Although not altogether free from vanity they are full of unselfish enthusiasm, and though at times a certain pettiness manifests itself they are marked by a noble daintiness of taste. Whilst struggling with words and lines, the correction of bad rhymes and verses that would not scan, the grand idea of a new culture hovered ever before his eyes, for the writer was inspired by the German-Greek classicism of Goethe. On this model he sought to educate his nation. Kazinczy desired to “adorn the temple of the Hungarian language with treasures gathered

from the whole civilised world." In his translations he set the example. "The main law of poetical language is beauty, and literature is its legislation." This was the principle he proclaimed; and with his disciples he made war on the more conservative who defended the absolute originality of the language.

After Joseph II had passed away, Nicholas Révai published his *Antiquitas* and *Elaboratio Grammatica*. In these works he appeared as the first representative of the historical study of languages. His disciple, Stephen Horváth, who later became a writer of history, also furthered this study.

Two other disciples especially distinguished themselves: Daniel Berzsenyi, a proprietor in Kemenesalja, was one of the best ode-writers of all time. He wrote entirely in classical metre, but his odes are filled with a great warmth of national feeling. In contrast to Berzsenyi is Francis Kölcsey, of the county of Szatmár, with his subtle and spiritual feeling. Politics occupied only a brief part of his life, though he was the most popular speaker in the Diet of Pozsony in 1832. The rest of his life was spent in legal, historical, and critical studies, and in visions that could never be realised. His critical and oratorical works were, however, of more importance than his poetry. He was the founder of the Hungarian school of literary criticism and academical oratory. As a

moralist he produced a first-rate classic in his '*Parainesis*,' which, addressed to his nephew, depicts the ideal Hungarian life.

In the first decade of the century the French wars hindered all progress, and later on the reaction from the Holy Alliance fettered every literary movement amongst us. The Constitution being set aside, the doors of the Diet locked, police rule and espionage flourishing, material, intellectual, and moral energy became paralysed. In those dark days, however, a deliverer arose in the person of Joseph Katona, a young lawyer who had become acquainted with a troop of Hungarian actors living in Pest. He was inspired to produce an episode in the history of the Árpáds. In 1814, for the opening of the new theatre at Kolozsvár, Katona wrote *Bánk Bán*, the finest specimen of Hungarian tragic poetry. The live coal from the altar of Hungarian nationality blazes up in *Bánk Bán*. The public of his time did not understand the poem; and, published in book form, it remained almost unnoticed. But in the forties the national soul began to recognise itself in the work, and then enthusiastic applause called for the unknown writer, who, however, now slept in the cemetery of Kecskemét.

A few years before this, Chas. Kisfaludy, too, was a successful dramatist, and, properly speaking, the founder of Hungarian theatrical poetry. He had passed a restless youth; first abandoning his

books, next his officer's sword, he attempted to become a painter, and for a time travelled abroad. After his return home the fame of his brother Alexander attached him to a literary career. Imbued with modern culture, many-sided abilities and great industry, he became the leader of the new and more national literature.

After the death of Chas. Kisfaludy and of Kazinczy in the early thirties, Vörösmarty became the acknowledged leader of our literary life. Round him gathered the best and most zealous on the editorial staff of the *Aurora Pocket-Book* and *Weekly Athenæum*. About this time George Czuczor, the Benedictine, made his appearance ; with his epics drawn from old times, one of these epic poems presented in an attractive form the legend of Botond in hexameters.

Vörösmarty's most intimate friend was the critic, Joseph Bajza, one of the first of Hungarian journalists. As with Kölcsey, the wrongs and sorrows of his nation carried him away and taught him his more passionate themes. John Garay was the most faithful disciple of the composer of the *Szózat*. He worked up the history of the Árpáds into a long series of ballads of a highly rhetorical style. The young Francis Toldy became their historian. For half a century he laboured with indefatigable industry and enthusiasm. With an obstinate attachment to the past, he published an extraordinary number of anthologies, historical

and æsthetic criticisms, speeches, and systematic studies. To this circle Andrew Fáy was added—the squire poet. Full of sound philosophy, he became the Æsop of his nation. In more than 600 fables, with picturesque ingenuity, he has taught the Hungarians perseverance, concentration, and reasonableness.

Of this new Hungary Count Stephen Széchenyi was the leader. His great family traditions and strong love of race awoke in him a resolution to consecrate his whole life to the service of his country. The experience he had acquired, and his studies in political economy, caused him to clearly see the one way to national prosperity. This was to break with the past, to emancipate the nation from the obsolete feudal system, with all its social prejudices, and to give up our profitless system of husbandry; but, above all, to abandon indifference to culture. Széchenyi set an example both in sacrifice and labour. In 1825 he founded the Academy, which five years later began its operations under the presidency of Count Joseph Teleky, the historian of the Hunyadys. In 1830 Széchenyi's work on *Credit* appeared, followed by various essays on reform, in which he developed his programme in detail. He was foremost in political life, and inspired many laws passed by the Diet. Distinguished for his indefatigable zeal, his nation enthusiastically accepted him as leader, and named him "the greatest Hungarian." Struggling in





NATIONAL THEATRE, KOLOZSVÁR.

Parliament against Viennese reaction he started the work of reviving the Hungarian language and of liberating the people. "Hungary *is not*, but it *shall be*!" cried Széchenyi. "Do not let us weep over the past, but let us work for the future," and as his spirit pervaded public life the epic gave place to the historical novel. Our three principal novelists before the Revolution came forward as politicians in the service of Széchenyi's work of reform. Baron Nicholas Josika, Baron Joseph Eötvös (afterwards Hungary's first Minister of Public Instruction), and Baron Sigismond Kemény, a scion of a princely Transylvanian family, all succeeded by their literary productions in rousing their countrymen to a new activity.

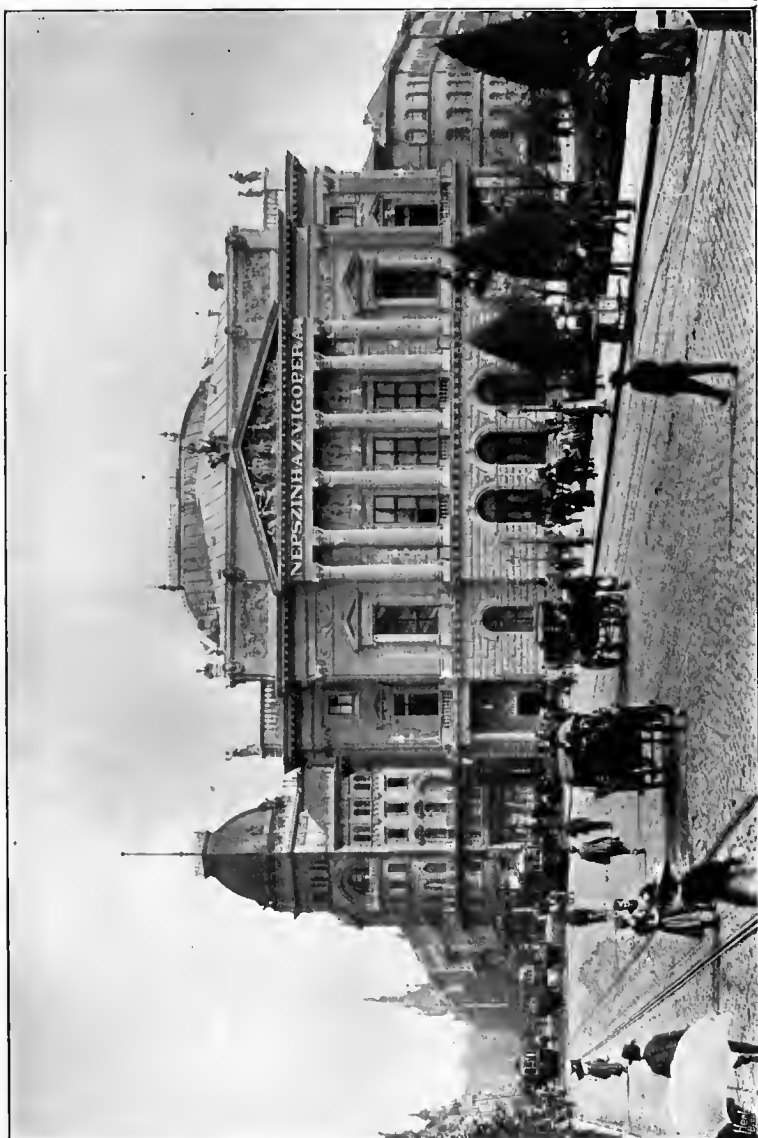
The drama now began to assume a national aspect, and the Diet ordered the foundation of a National Theatre. Excellent actors made the reputation of the new institution, amongst whom were Madame Kántor, Madame Déry, the comedian Chas. Megyeri, the clever impersonator of Shakespeare's heroes, Gabriel Egressy, Martin Lendvay, Joseph Tóth, and the queen of Hungarian poetical recitation, Madame Jókay.

About this time a writer arose in the person of Edward Szigligeti, whose ability and industry had the greatest influence upon our drama. His marvellous fertility was not exhausted for more than forty years. He left us many noble works, of which *The Pretender to the Throne* and *The*

Imprisonment of Rákóczy achieved the most marked success. But his most distinguished and original work was the farce *Liliomfi*, depicting the life of the wandering actors. Under the influence of democratic tendencies, he turned for his characters to the life of the people ; the *Deserter* and *Coltherd* well illustrate this fact.

Among the theatrical writers who best expressed the tendency of the times, Ignatius Nagy achieved and deserved success with his *Municipal Elections*. The sketches of Sigismond Czakó, and especially Count Ladislas Teleky's tragedy, *The Favourite*, in which is depicted the moral degradation of the Roman Empire, sinking into final ruin, may also be mentioned. All those foreign influences (Latin, German, and French) which had made themselves felt in our literature since the renaissance became more and more pressed into the background by the sentiment of nationality, growing ever stronger since the time when reform had set in. It came to be regarded as a fault that Hungarian legend, history, life, sentiment should appear in foreign forms, struggling with restrictions imposed by foreign style. These demanded representation in their proper national form, with all its wealth and force.

John Erdélyi a distinguished pupil of Hegel, started the first great collection of Hungarian "people's poetry," which others afterwards continued. Of these the most worthy was John



Photo

THE NEW NATIONAL THEATRE, BUDAPEST.

Diéad

[To face p. 354]

Kriza, a Unitarian bishop, whose *Wild Roses* disclose the hitherto buried treasures of the Székely ballads. By these collections, the "people's poetry" began to influence our literature. It gave us songs which could be sung not only to the piano and to the violin, but also by the peasants working in the fields. It thus expressed the Hungarian national soul in the deepest, richest, and purest way.

Of these artists of lowly rank, the first to make his appearance was Michael Tompa, the son of a poor bootmaker in Rima-Szombat, a scholar of the college of Patak and later Calvinistic pastor of a group of picturesque villages in County Gömör. In the castles of that neighbourhood the memory of Gyöngyösi still lived, and the people who dwelt on the banks of the Sajó were they who knew most of our folk-lore stories. It was this country, with its imaginative life and the varied beauty of its scenery, which inspired the young pastor. In 1841 he published his lyrical songs, which, however, were written in the old foreign style ; but in his *Folk Tales and Legends* he gave popular form to the tales of the people, and transferred into his own inventions the people's feelings and sayings. His pictures of their simple life are most impressive, for Tompa speaks *from* the soul of the people *to* the soul of the people. The most characteristic trait of this genius is his love of nature, in whose inspiring presence he ever lived. His inclination

led him to allegorise ; but his images are not those of a reflective mind, but rather of a simple heart, which every one may understand. After the Revolution Tompa became the favourite poet of his oppressed nation. He salutes the first dawn of a better epoch in his odes to Kazinczy and Lorántffy Zsuzsánna. He just lived to see deliverance, but in the spring of the new national life with the most touching verses of his poetry, he took leave of them for ever.

The movement for reform hurried on with ever-increasing pace. Széchenyi was himself alarmed at its haste. In the forefront of affairs was his great political opponent, Kossuth. With a wealth of poetical imagination and an irresistible power of rhetorical art he pointed out to the nation the way of freedom. With its heroism and soldierly abilities, the nation fought victorious battles against two empires, and, in spite of temporary drawbacks, secured its future liberty. Every true pearl from the soul of the Hungarian people, which the whirlwind of these national events brought to the surface, gleams forth in the poetry of Alexander Petöfi.

Born of the people, at Kis-Körös in the county of Pest, he was the son of a farming butcher, like Shakespeare, whom he so much admired. While a schoolboy he made several unsuccessful attempts to become an actor. He eventually became a soldier, but to poetry he remained faithful to the

end. He saw with his own eyes, and expressed everything within the sphere of his own feeling and imagination. A mixture of feelings he hardly knew ; every feeling was simple and clear, and such was their effect. His sincerity, perhaps, sometimes led him to say more than he should ; but, then, he had much more to say than other people. He loved the land of the Magyars, the Lowlands, and created its poetry. Of its characters, the shepherd plodding along with his donkey, the young men making merry in the inn, the brigand galloping over the plain, the old grandmother crouching over the peat fire—these and many more he has rendered immortal.

Petőfi was not only the idol but the ideal representative of the youth of Hungary in the period of reform. The characteristics of that youth were an ideal enthusiasm coupled with intolerance, a passionate desire for national independence together with a defiant vanity; above all, of self-sacrifice. All these sentiments appear in Petőfi's lyrics. Nor did he cease singing until he breathed forth his soul on the battlefield of Segesvár—that soul which Grimm had said was kin to that of Homer, of Shakespeare, and of Goethe. Certainly he was of the greatest of those who were not only poets but prophets. He foretold his own poetic fame, the Revolution, his heroic death, and his widow's disrespect to his memory.

This same epoch produced also the greatest

Hungarian epic poet—John Arany. Born in a thatched cottage at Szalonta, in the county of Bihar, of poor Calvinistic parents, he studied at Debreczen, whence he returned to become a notary in his native town. Later, when in the professor's chair in Nagy-Körös, and as secretary of the Academy, he tells us that he wished himself back in the little Lowland town, in whose quiet simplicity his soul found its true life. Of the whole Lowlands the people of Szalonta have perhaps the greatest number of historical legends—of Toldi, of the Turkish and Kurucz wars. These legends and songs formed Arany's first intellectual nourishment ; but his intellect was developed by a profound study of the ancient and modern classics. His knowledge ennobled his taste and enriched his works, but it never deprived him of his simplicity and originality. Petöfi was already in the hearts of the people while as yet the name of Arany was unknown. He was already in middle-life before he became famous. The purest Hungarian language and spirit are found in his works ; he has been named the "Shakespeare of ballad."

Maurice Jókai, the son of a nobleman of Komárom, must here be mentioned. For half a century he was one of the chief ornaments of our literature, whose name, with that of Petöfi, the outside world perhaps knew best. He was the early friend of Petöfi, his companion and ally. In narrative prose he created a new style, more

lively, more coloured, and more Hungarian than the old. Of this style he was not only creator but its most able and prolific representative, for he has left us more than 250 volumes. His extraordinarily rich imagination led him towards exaggeration in character-drawing when he wrote of other lands. But he has set before us, with the fidelity of a master, pictures of the life that moved around him, all that he himself saw or gathered from his contemporaries. None of our works, from the beginning of the reform period till now, can show such a rich picture-gallery of Hungarian life as Jókai.

About this time two monumental works of Hungarian history were produced : one by Michael Horváth, the other by Ladislas Szalay. With the works of Francis Toldy begins the modern history of Hungarian literature. Arnold Ipolyi devoted his abilities to the description of the monuments of Hungarian art ; Gregory Czuczor and John Fogarasi laboured at the compilation of the great dictionary of the Hungarian language. Under the guidance of Paul Hunfaloy a new school of philologists arose, whence came Joseph Budenz and Arminius Vámbéry, the first a student of Ugrian, the second of Oriental languages. The Academy served as a centre for all these endeavours, though much impeded in its development. Though opposed by the censor, our dramatists still cherished the love of the Hungarian language, which, at the National Theatre, lived anew in the talents of

Joseph Szigeti, Kálmán Szerdahelyi, Cornelia Prielle, and of the charming singer, Madame Hegedüs.

But in this our last period of trial, viz. between the fifties and the sixties, our poetry did more than anything else to keep alive national sentiment. It drew spirit and motive from the circumstances of the times. The name of Petöfi stands out most prominently, but there were many lesser lights. Of these, however, only one has survived, Kálmán Tóth, who is still noted for the delicacy and richness of his love poems.

First in the ranks of Hungarian æsthetic writers is Paul Gyulai, who, in his biographies of Vörösmárty and Katona, combined the method of historical analysis with a clear and attractive style. He was the enemy of all exaggeration; yet his poetry radiates true warmth and feeling. Some of his poems—*e. g.* like *Sir Lieutenant* and the *Nocturnal Visit*—have reached the heart of the nation.

By the side of Gyulai we must place Charles Szász, who, with his remarkably successful translations, brought more masterpieces of foreign literature to the notice of our people than the whole school of imitators put together.

The son of the great poet, Ladislas Arany, has depicted the transitional period of the newly awakening nation in his versified romance, *The Hero of the Mirage*; while Louis Tolnai has done the same in his stern and vigorous ballads.

The historical novel remained in fashion right up to the time of reconciliation with Austria. Besides this, too, there was the Society novel, whose distinguished representatives were Charles Vadnay, Charles Bérczy, and Louis Abonyi.

On the stage Szigligeti was the chief figure. Jókai, with his true pathos, helped to elevate the historical drama, and by *The Martyrs of Szigetvár* deeply affected the imagination of the nation ; the number of popular pieces was increased by the humour of Joseph Szigeti.

Towards the middle of the sixties a new impulse was given to imaginative literature by Eugene Rákosi. Both he and Louis Dóczy, who joined him, show in their romances and historical plays a marked tendency towards the unusual and exceptional ; their psychological insight, brilliant colouring, and poetic utterances have given us true works of art.

The greatest poetical work of this time, however, and one of the chief glories of our literature, is a dramatic poem of Imre Madách, entitled *The Tragedy of Man*. On reading this poem in manuscript John Arany hailed the author as the new great poet of the nation. Following Goethe and Byron, Madách ascended the highest heights of poetic philosophy, whence he saw with his own eyes and felt with his own heart the struggles of mankind. The deep and absorbing interest of the conception, the sublimity of thought, the boldness

of style, place the drama of Madách among the masterpieces of our literature.

Literature encouraging this the Hungarian spirit, together with the great historical events of the period, gradually gave us our liberty. At last Francis Deák came and "conquered without bloodshed." He was a man equally great in wisdom, patriotism, or disinterestedness, and for thirty years was the leader of Hungarian liberalism. His State papers and speeches are not only examples of any oratory which was victorious by its force and clearness, but they are the most valuable specimens of Hungarian political literature. In 1867 he reconciled the nation to its king; he recovered the lost Constitution, and by this means placed the fortunes of the nation in its own hands. In spite of some vacillations there followed a period of remarkable prosperity. Literature and art found their place in the great national reorganisation, and took up the new tasks set before them. The academies, universities, museums, learned societies, as well as individuals, not only attempted the diffusion of a real culture but the raising of every part of our national life to a higher level.

Our philologists have founded the first school of Ugrian comparative philology. They are preparing a great lexicon of Hungarian mediæval Latin, and by their works on the Corvina are rendering service to the study of the classical languages. They have also lately completed the

great historical dictionary of the Hungarian language. But what has had the most direct influence upon our literature is the orthological movement started and conducted by Gabriel Szarvas, the aim of which is to root out the foreign words and constructions that have found their way into the language. Poetry, in its more distinguished representatives, has always maintained its national character. The influence of Arany and Petöfi is still very marked, that of the latter being found in the verses of Joseph Kiss, whilst Andrew Kozma is entirely the disciple of Arany. In Julius Vargha's beautiful but simple songs the influence of Petöfi is also seen. Nor is he forgotten in the verses of Michael Szabolcska, who sings such characteristic songs of the Alföld. These songs in all their primitive simplicity have been dramatised by Edward Tóth, in his *Bad Fellow of the Village*, one of the most characteristic pictures of Hungarian life. His appearance upon the stage revealed the success of the people's drama, whose chief ornaments were the natural grace of Louisa Blaha and the originality of Joseph Tamássy. Gregory Csiky ruled the stage for fully ten years as successor of Chas. Kisfaludy and Szigligeti. He wrote poetical comedies, historical dramas, and tragedies in the style of Vörösmarty, and rendered good service by his translations of Sophocles and Plato. He was followed by Francis Herczeg, who has, however, developed his powers in the

direction of the novel rather than the play. His writings are always interesting and suggestive. Alexander Baksay's style is more simple. He depicts the cheerful and picturesque life of the village Calvinists in his most beautiful piece, *The Granny of Patak*. Like him, too, is our most popular novelist of to-day, Kálmán Mikszáth, whose chief strength lies in his fluency and wit.

The extraordinary advance of the press has rendered the political and social "feuilleton" a favourite amongst all classes. Of the more recent, those of Béla Tóth are worthy of distinction on account of their artistic style, and those of Géza Kenedy for their moral insight.

Speaking generally, the chief characteristics of our literature have never failed and never can fail. It is Hungarian, and is therefore stamped with true ancestral features in all the varying forms that it assumes. In all of us there is something of the blood of the wild horseman wandering on the banks of the Volga. And the strong and agile warrior of old, ready to face all dangers for his tribe's sake, conscious of his own power and able to use it, still remains the most characteristic figure of our literature. Amongst our national ideals and those of our literature that of "Magyarism," and all that it means, was ever to be found, and served as the goal upon which to fix the eyes of succeeding generations. When from time to time it appeared dim to the nation, or to particular

classes in the nation, it was our literature that revealed it with greater clearness. That is the reason why, perhaps, there is no nation in the world whose literature stands in such direct and intimate relation with its political life as does the Hungarian. Our literature has always both expressed and maintained the national soul. If this nation has rendered any service to European civilisation, in the defence, for centuries, of some of its boundaries, Europe owes some thanks to our literature, which maintained the "Magyarism" that made such protection possible.

CHAPTER X

HUNGARIAN MUSIC

By JULIUS KÁLDY

IN the land of their origin the Hungarians appear to have had a special love for music, for in their sacrifices and other religious ceremonies, in their national festivals, before and after battle, at banquets and funerals, song, music, and dancing played an important part.

In religious sacrifices the high-priest (*táltos*) led the ceremony with song ; the people repeating the last verse of the stanza as a refrain, and young girls, scattering fragrant herbs in the altar flame, danced a blithe dance. At national festivals and at banquets the minstrels sang (accompanying themselves on the lute) the heroic deeds of fallen champions, or poured forth other patriotic songs, while reciters declaimed in sonorous rhyme the legends of old.

Our ancestors used to bury their dead with song and music. Priests of lower rank (*gyulas*) delivered addresses at the funeral, praised the heroism and virtues of the deceased, and at the end of them paced round the grave in a slow dance. This

custom practically obtains to the present day. For at burials (Catholic and Protestant alike) the "Cantor" takes leave of the dead in a mournful song. After the funeral the mourners assemble with the sorrowing family at an evening banquet. A hundred and sixty years ago the "Dance of Death" used to be performed at the close. This was probably the most ancient Hungarian dance, and a remnant of heathen funeral rites. Among the compositions of the renowned Gipsy musician, Czinka Panna, there is a "Dance of Death" belonging to the first half of the eighteenth century.

That music and song were very popular and had reached a high standard amongst the Huns is proved by the *Travels of Priscus Rhetor*, whom the Emperor of Byzantium sent with the Senator Maximus on an embassy to Attila.

Like the Gallic bards, the Vates, and the Scandinavian Skalds, the Hun minstrels not only stimulated the warriors to battle, but engaged in it themselves. In 451, on the eve of the sanguinary battle of Catalaunum, when Attila withdrew to his barricade of wagons, the dirges of the Huns echoed from their shelter to the enemy's camp. Next day innumerable lutes were found on the battle-field.

Later on, at the time of the Conquest in the tenth century, the music of the Hungarians must have been highly developed in quality, for the

Anonymous of King Béla (*Anonymous Bélae Regis notarius*) ends his account of the fights of the warriors Lel, Bulcsu, and Botond with the words : “As to their wars and heroic deeds, if you pay no credence to my letter, at least believe the prattling songs of the minstrels and the well-worn legends of the people, who have not allowed the heroic deeds of the Hungarians to fall into oblivion.” After Árpád had conquered the land he marched with his people into the castle of Attila, where everything was destroyed. “In the ruins,” says the *Anonymous*, “they held daily banquets, they sat in rows in the palace of Attila, and the sounds and sweet tones of their lutes and shalms, and all kinds of songs from their vocalists, echoed from the company.” Along with the *Anonymous Notary* other chroniclers also mention numerous hymns, dirges, and martial songs, the latter of which were plentiful and enjoyed universal favour.

The minstrels, reciters, and jongleurs may be regarded as the makers of these songs ; in Árpád’s day they sang them at national festivities, and thus they came into popular use. The name, *igricz*, of Slavic origin, referred to harlequinades, mummeries, and buffooneries, and since it was not Hungarian nature to participate in vulgar antics, or to experience any pleasure in the sight of them, it is probable that these jongleurs were foreigners, whose place was later taken by the troubadours.

Many interesting facts concerning the Hunga-

rian dance are found in the Chronicle of the Monk of St. Gallen, Ekkehard, in the tenth century. He calls it the "Siebensprünge" (seven steps). This dance was taught to the people near Lake Constance by the Hungarians during their residence there ; later it came to be called the "Hun step" —a slow-moving dance. It is averred by many that the leaders themselves composed the old heroic songs, the minstrels, after setting them to music, being merely the exponents.

All available evidence goes to show that at Árpád's time music was not only beloved of great personages, but of the people also. It is related of Bishop Gerhard that when he came from Csanád, his see, with Walther, the Singing-master of the Féhérvár School, to King Stephen I, he passed the night at a certain place where he was frequently aroused from his sleep by the sound of songs. The bishop observed to Walther : "Do you hear how sweet is the song of the Hungarians ?" As the song grew louder and clearer, Gerhard asked : "Walther, tell me what causes this song which interrupts my slumbers ?" Walther then declared that the singer was a girl who ground wheat on a hand-mill and whiled away the tedium of her work by singing. Thus the Hungarians had at that time acquired a taste for song, and, as at the present time, indulged it at their daily toil, in their ploughing and sowing, at their harvest and vintage.

Even 800 years ago Hungarian music appears



Photo

THE CATHEDRAL, KASSA.

Erdélyi

[To face p. 370.]

to have been in great repute. When the Hungarians fought as allies of the Russian prince, Isislav, against the Poles and Bohemians, and after a victorious fight marched triumphantly into Kiev, the townspeople got up festivities in honour of their guests, and (it was said) "the house was fortunate in which Hungarian music sounded."

From descriptions we find that the following instruments were in use in Hungary from very ancient times: the lute (*koboz*), and the violin (*hegedű*); while of wind-instruments, large and small pipes were fashioned out of the willow twig—still a popular instrument like the shepherd's pipe (*tilinkó*); the buffalo's or ox's horn called *kürt*, the small hand-drum, like a Moorish tambourine, without castanets. It is assumed the Hungarians brought these musical instruments with them from their original home. The field-trumpet and cymbal are of later date.

As to the form of the ancient lute opinions differ. Most probably it was like the Indian national instrument, the *vina*. The player sat with it on his knee, playing *pizzicato*. Among the Székelys of Transylvania there is still a small instrument so played called the *timbora*.

Unfortunately not a single melody from the music of the Huns' songs has been handed down, but from the mode of life and the continual wars of our people it is evident that the music of their day must have been dramatic and heroic. The

best proofs of its early development are the ancient Hungarian legends and traditions, which relate in song the fortunes of the nation, the heroic feats of Attila, Arpád, and the dukes. These melodies were gradually lost in the advance of Christianity ; and it is probable that with the suppression of Vata's rebellion, very many precious poetical and musical products of heathen Hungary were entirely destroyed.

Under Stephen I and later, Christian church music spread, and the Gregorian chant, too, soon took root here, as among all the other converts to Christianity. The schools founded by Stephen I and his successors had a two-fold task : to educate in the Christian faith and in song. In the first of these schools, founded by Bishop Gregory at Székes-féhérvár, Walther instructed the children of thirty Christianised families in Latin and in song. Several other bishops followed his example, and thus schools arose in Esztergom, Pannonhalma, Vác, Veszprém, Nagyvárad and Nyitra.

Since the first priests in Hungary were principally Italians, they taught the young people only Latin songs. But later, when several natives became clergymen, church songs in Hungarian, composed by themselves, came into use. Hymns in Hungarian, however, could only be adopted on approval by the Holy Synod.

Our annals mention several such composers in King Kálmán's time (1112), among whom was

Andreas Vászárhelyi, who wrote a song to the Virgin as Patroness of Hungary, also an unknown composer whose song on St. Stephen was printed in Nürtenberg in 1454. From this period the Hungarian text of another church song, "On the Virginity of the Virgin Mary," has come down to us.

We must now mention two prominent Hungarians who acquired European renown by their art. The first was Nicolas Klinsor, of the thirteenth century, a Transylvanian who lived at the court of King Andrew III, and, as one of the most learned of the Master-singers, took part in the competition held at the Wartburg, near Eisenach, in 1208, at the invitation of the German Minnesinger, Henry von Ofterdingen. Some of his songs are found in the old epic poem: *Der Sängerkrieg auf der Wartburg* (The singing competition at the Wartburg). Still more famous was George Szlatkoni, born at Krajna, near Nyitra, 1456, who at the beginning of the sixteenth century was the fourth bishop of St. Stephen's Church in Vienna, and as privy councillor and choir-master to the Emperor Maximilian I, distinguished himself in religious and secular music alike.

Foreign masters often found employment at the court of the Hungarian kings. The capellmeister of King Sigismund was the renowned George Stolz, Josquin des Prés' contemporary. At the court of King Mathias was the great Dutch theorist

Johann Tinctoris, capellmeister of King Ferdinand of Naples, and the music-master of his daughter Beatrice. This princess brought him with her to Hungary, and under him the court band and the singers of King Mathias attained world-wide renown. According to Peter, Bishop of Vulturana and legate of Sixtus IV, there was at that time no better choir than that of King Mathias. This shows that that monarch fostered music. Besides the orchestra and choir, there was a well-organised band of trumpets. The orchestra of the king and queen appears to have consisted of thirty executants, considered an extraordinary number at that period. Some centuries later the Vienna band of King Leopold numbered only eighteen.

Tinctoris dedicated to Queen Beatrice one of his renowned theoretical works. At the same time flourished Monetarius, born at Selmech, who distinguished himself as a composer by a theoretical work dedicated to George Thurzó in 1573.

Even the poverty-stricken King Ladislas II spent annually 200 gold pieces on his singers and musicians.

Under Louis II Adrian Willaert, of Dutch birth (afterwards founder of the Venetian School), lived seven years at Buda, leaving Hungary after the battle of Mohács. Willaert, the creator of the Madrigal, dedicated to the wife of Louis II one consisting of several parts, now preserved in St. Mark's Library at Venice. The sojourn of these illustrious persons

in our land exercised but little influence on the character of Hungarian music ; for as they figured as court musicians, only a few of their songs have descended to us.

In King Sigismund's time there were organs in many churches. There is extant a document of John Hunyadi (1452) allowing certain expenses for the erection of an organ in the parish of Felső Bánya. The first introduction of this instrument cannot, however, be fixed chronologically. According to Nicolas Oláh an organ with silver pipes was played at Visegrád in the chapel of King Mathias, while at Buda masses with song were celebrated.

With regard to folk-songs and dance music, no certain data has come down to us, but we may assume that they developed in their own way in spite of foreign influence.

The wandering gipsies of the fourteenth century were conspicuous as executants of Hungarian dance-music, and they in particular spread Hungarian secular-instrumental music. Not only did the people patronise them, but they were appreciated at the mansions of the magnates. They played an important part not only at festivities, but sometimes also at the meetings of Parliament ; our historians make mention of the noisy assemblies at Rákos and Hatven in 1525. The most conspicuous of the gipsies was Dominic Kálmán, who won great renown as a lutist and violinist. Tinodi

testifies that, in his day, the lute was played with the fingers, though the violin was already played with a bow.

In the eighteenth century Michael Barna and Czinka Panna were distinguished musicians, the former being called the "Hungarian Orpheus" (on whose life and death various Latin poems have been written). John Bihary followed them, whose "Primate," "Palatine," and "Coronation" are among the most beautiful of Hungarian dances. He and his band were invited more than once to the court balls at Vienna. He gave concerts in Hungary, Transylvania, Poland, and Vienna. Even the great Beethoven often listened to his playing with much pleasure, and used one of his tunes in his overture dedicated to King Stephen. At present our gipsy bands win laurels not only in Europe and Asia but also in America.

Returning to earlier times, we must not forget our war-songs and camp music. As composers of such, history records John Cesinge, who as Bishop of Pécs (fifteenth century) placed himself at the head of his troops, and inspired his soldiers to battle by his songs. Several Hungarian lutists were in repute in the sixteenth century; one of whom was Valentine Bakfark, called by others Graevisius (born in Transylvania 1507, died at Padua 1576), who lived chiefly in Poland. He came to Vienna at the invitation of the Emperor Maximilian (1570). He lived long at the court of the Polish

King Sigismund, with whom he appears to have been on intimate terms. Two of his works have come down to us, *Premier livre de tabulature de lute* (Paris, 1564), and *Bakfarcz Valentini Greffi Pannonii Harmoniarum musicarum usum testudinis factorum* (Cracoviae, 1566). The latter work he dedicated to the King of Poland, who bestowed on him some property. John Bakfark (probably Valentine's son) was also a lute virtuoso of great fame. Among the works of both we find several compositions in Hungarian style.

As an excellent lutist must be mentioned John Newsidler, born in Pozsony. His *School for the Lute* appeared in Nuremberg. In the first volume of this work he treats of lute tablature; in the second are several fantasies, preludes, psalms, and motetts. A contemporary of his was Christopher Armpruster, also born in Transylvania, whose "Song on Morality" appeared in 1551.

In the sixteenth century the most conspicuous were Andrew Batizi (1546), with his "Fair History of the Holy Marriage of the Patriarch Isaac"; Andrew Farkas (1538), with "How God led the Children of Israel from Egypt and the Hungarians from Scythia," Peter Kákonyi, Peter Désy, Kaspar Bajnai, Stephen Csükei, Michael Sztáray, Blasius Székely, and Michael Tarjay, who also wrote songs with scriptural purport, and whose style, despite its religious character, is quite Hungarian.

At this period lived Sebastian Tinodi, the lute-

player of the sixteenth century. Not only was he a true chronicler in his songs of the events of his time, but he was the first Hungarian composer, and some of his productions possess abiding worth. His songs passed from mouth to mouth, and the people began to perpetuate their style, as the numerous songs and ballads of the Thököly and Rákóczy period show.

The value of Hungarian music, however, assumed greater proportions with the spread of the Reformation in Hungary. Now the people sang in the churches in their own language. Secular poems were often sung to the music of sacred songs, and in many tunes of the seventeenth century we recognise the hymns of the Huguenots composed by Gaudimel and naturalised with us.

The most brilliant periods of our folk-songs are those of Thököly and Rákóczy. We wonder at the beauty, impressiveness, strength, and characteristic rhythm of the *Kurutz* songs, and are amazed at their variety. These *Kurutz* songs, and other musical creations of the period, are not only genuine musical pearls, but accurately reflect the character and peculiarity of the Hungarian music, and form the source whence the later songs, wedding and other dances, and the whole body of the "hallgató magyar" melodies have sprung. If we consider that the great masters, Handel and Bach, were just born or in their childhood when these songs arose, and that the triad of geniuses,



Photo

THE CATHEDRAL, PÉCS.

Erdélyi

[To face p. 378.]

Haydn, Mozart, and Beethoven, lived fifty or sixty years later, we can scarcely repress our surprise at the astonishing variety and versatility of the bold forms and richness of the rhythm that revealed itself in Hungarian music at the end of the seventeenth and the beginning of the eighteenth centuries. Liszt rightly observes, "There is no other music from which European musicians can learn so much rhythmic originality as the Hungarian." At this time arose the "Song of Francis Rákóczy," "Rákóczy's Complaint," and "Rákóczy Tune," whence came the "Rákóczy March," a hundred years later. At this time also the numerous melancholy songs of the exiles were composed, "Autumnal Dew," "Do not be grieved," etc., and many famous folk-songs.

From the middle of the seventeenth to the end of the eighteenth century, only the Song and the Tune were known in Hungarian music. The former was a simple folk-song, war-song, or hymn. The latter implied a piece of music of greater extent. As previously stated, there were already Thököly, Rákóczy, and Bercsényi tunes, whence later sprang the "hallgató magyar" melodies, intended for public performance.

There were two kinds of dances—Court dances and peasant dances. The "Palace Dance" and "Slow Hungarian" were court dances; the "Dance tune" and "Dumping tune" were

peasant dances. The old Palace Dance was exclusively a court dance in the fifteenth century. Its music is quite different from the difficult music of its time, as well as from the later foreign dances, the saraband, pavan, and minuet. Its melody also was livelier. The nobility danced it; and since it consisted only of slow turns and was rather a walking dance, old ladies and gentlemen and even ecclesiastics took part in it. It was also danced abroad as the "Passo mezzo ongarese," and formed a separate part of the Italian "Ballo."

From the Palace and Slow Hungarian dances rose the "Verbunkos," danced at recruiting. No other nation possesses such a dance. Popular dances were the "Wedding Dance" and the "Coquettish," used at weddings; the "Tent Dance," "Arm Dance," and "Drum Dance," danced in camps after a battle. During the forties of last century several Society dances arose; the "Round Dance," "Wreath Dance," and "Tavern Dance" (*Csárdás*) are still in vogue.

As an excellent dance composer, John Lavota must not be omitted mention. He belonged to last century. Antony Csermák and Mark Rozsa-völgyi followed him, and have contributed many popular dances.

At the end of the seventeenth century some of our artists attained celebrity and honour abroad. One such was Sigismund Cousser, born at Pozsony, who in 1697, at Hamburg, assisted Mattheson

and Kaiser to create the first German opera. His operas "Erindo" (1693), "Porus" (1694), "Pyramus and Thisbe" (1694), "Scipio in Africa" (1697), enjoyed great favour. In 1700 he was choirmaster at Dublin Cathedral, where he died about 1730.

In the sphere of church-music John Francisci, born at Beszterczébánya in 1691, attained great honour as an organist. He travelled through Germany, knew Mattheson and Bach, and had such renown that one of his friends in Breslau, John Glettinger (1725), was inspired to compose the following panegyric—

"Illustrious friend, Amphion's progeny ;
My fancy finds Art's true ideal in thee.
Thy songs are like an angel's songs above,
And thus the world bestows on thee her love.
This only wish have I at my command,
That thou may'st be the Orpheus of thy land."

In 1733 he was invited to Pozsony, where he lived as choirmaster. He returned to a similar post in his native town in 1735.

In the second half of the preceding century the higher circles cultivated secular music, especially Italian and German. Many kept excellent bands, and invited illustrious foreign composers to their conductorship.

The Esterházy family have always been pre-eminent for their patronage of music. Duke Nicolas Esterházy, and afterwards his son Paul,

had in Kis-Martón a theatre installed with great luxury and a distinguished band, at the head of which was, firstly, Joseph Haydn, afterwards Ignatz Pleyel, and, lastly, John Hummel. The Karolyis, too, had permanent bands and theatres in Megyer, the Batthyánys in Rohoncz, and the Erdödyss in Pozsony. The higher clergy were not behind in the culture of music, and kept singers and musicians in their residences, at the head of which foreign masters were placed. The illustrious counter-pointist and theorist, Albrechtsberger, Beethoven's master, lived at Györ, Michael Haydn also, and Karl Dittersdorf in Nagyvárad. All exercised great influence on the development of the musical life in the towns mentioned. This influence may still be seen in all the towns to-day. At Kassa, Eger, Nagyvárad, Pécs, Pozsony, Temesvár, excellent soil is prepared for musical and theatrical displays.

The piano became popular at the beginning of last century. There was scarcely a nobleman's house in which this instrument was not found. For this reason several famous foreign masters settled in Hungary and engaged in pianoforte teaching. These masters were disciples of Haydn, Mozart, and Beethoven, and thus the works of these geniuses were introduced into aristocratic circles, where there must have been excellent players, since Beethoven dedicated several

of his sonatas to Hungarian ladies of high rank. The taste for music soon spread to middle-class society, and from this class came our best musicians and composers. To this movement is due the fact that several Hungarian instruction books appeared at the beginning of the century. The first *School for the Piano* was written by Stephen Gati (Buda, 1809), which was followed by that of Dömény and Milovitzky, and a course of harmony entitled *The Hungarian Apollo*, by Andrew Bartay. All these publications had a favourable effect on the development of Hungarian music generally. The number of those who cultivated it was already considerable. From their ranks rose John Fuss (born at Tolna, 1777, died at Vienna, 1819), who was so conspicuous as a composer that he roused the interest of Haydn. He lived usually at Vienna, but in 1800 he was invited to Pozsony, where he was universally esteemed. He wrote string quartettes, trios, duets for violin and piano, piano sonatas, solos and duets, overtures, and sacred pieces.

Two of our countrymen attained world-wide renown at the beginning of last century: John Nep Hummel, born November 14, 1778, at Pozsony, and Francis Liszt, born October 22, 1811, at the village of Doborján, Sopron County.

Hummel excelled by his free improvisation. The number of his compositions exceeds 120. He died at Weimar on October 7, 1837. His

birthplace, Pozsony, erected a statue to his memory in 1888.

Francis Liszt awoke such wonder by his piano-playing in his ninth year that he was called the second Mozart. The families of Szapáry, Apponyi, Eszterházy, and Erdödy guaranteed an annual amount for the child's education. His father took him to Vienna, where Charles Czerny and Salieri were his masters. At this time he was introduced to Beethoven, who prophesied for him a brilliant future, kissing him publicly at his first concert at Vienna. At the age of seventeen he charmed the world with his concerts. In 1848, towards the end, he abandoned the *rôle* of virtuoso, devoted himself to composition and settled in Weimar. There he began to write his incomparable Hungarian Rhapsodies, fifteen in all, in which he employed the prettiest folk-songs and dances and the "Rákóczy March." By his means Hungarian music was spread and made popular in Europe. He was the creator of the Rhapsody and the Symphonic Poem. In the last-named composition he employed many Hungarian tunes—*e. g.* in his "Battle of the Huns" and "Hungaria"—and thereby proved that Hungarian music is capable of being applied to serious purposes.

Many books would have to be written to do justice to his versatility as a composer. As a poet, also, he occupies a high place. He was

the disciple of Richard Wagner, whose son-in-law he became later.

In 1862 he went to Rome, where he lived in seclusion at the Convent of Monte Maria, and there, under the title of "Abbé," received the lowest clerical ordination. At this time he wrote his most important works—the oratorio *St. Elizabeth*, first performed at Budapest in 1865, the famous "Coronation March" in 1867, and another oratorio *Christus*, first performed at Budapest in 1875. He became President of the Royal Hungarian Academy of Music in 1875, where he taught the piano to pupils of the highest class. His death occurred at Bayreuth on July 31, 1886. Hungarians are proud of the fact that these gladiators of the piano, Hummel and Liszt, were their fellow-countrymen.

A worthy contemporary of Liszt was Francis Erkel (born November 5, 1810, at Békés-Gyula, died June 15, 1860, at Budapest), the creator of Hungarian opera. His merits are incontestable. In 1848 he wrote *Maria Báthory*, followed by *Ladislás Hunyadi*, which was received with enthusiasm. Individual parts of this opera, the overture, the swan song, the church scene, the funeral march, are of classical value in the literature of Hungarian music. In 1860 his *Bánk Bán* was performed. In this work he attained very original and striking effects by the use of the Hungarian cymbal, with other ancient instruments

seldom employed. In the scene on the banks of the Tisza he made the shepherd's pipe sound (represented by two piccolos) and gave to individual scenes a thoroughly Hungarian character. His opera *Sarolta* was performed in 1862, *George Dózsa* in 1874, *Nameless Heroes* in 1880, *George Brankovics* in 1884, and *King Stephen* in 1885. This last he wrote in his seventy-sixth year; despite his advanced age, the melody is as fresh as in his earlier works. In his professional career of more than half a century he laid the foundations of the Philharmonic Concerts in Budapest in 1850, and conducted them for eighteen years. We cannot go into details of his career as a band-master, but can only mention that through him the orchestra of the National Theatre has gained European renown. His name will always live as the author of "God save the Magyar."

As a dramatic composer, Charles Goldmark, born at Keszthely in 1832, stands in the first rank. In the sphere of symphonies, domestic music, and song composition his reputation is world-wide. He awoke real enthusiasm in 1860 when he came before the public with his overture "Sakuntala," of Eastern character. Of his other works the most remarkable are "The Country Wedding," "Penthesilea," "Spring," and "Sappho." These are found in the repertoires of philharmonic concerts all over the world. His greatest success was with his opera *The Queen of Sheba* (1873).

In this work his genius is shown at its best. Thirteen years later (1886) his opera *Merlin* was performed ; in this he abandoned his Eastern style, and curbing his individuality, produced a grand and noble melody almost equal to *The Queen of Sheba*.

In the sphere of opera there are at present Karl Thern and Charles Huber. A son of the latter, Eugene, is a renowned violinist, who is well known abroad. Up to the present he has published three operas, *Alienor*, *The Lute-player of Cremona*, and *The Scamp of the Village*, which latter, from beginning to end, contains the prettiest Hungarian music.

A most cultivated, fertile, and many-sided man is Edmund Mihalovich, the disciple of a new school. His works, *Hero and Leander*, *La Ronde du Sabbat*, *The Phantom Ship*, are all famous. His tunes are noble, his orchestration masterly. Thus far he has written two operas, *Hagbarth and Signe*, and *Toldi's Love*.

Francis Sarossy has also written the successful operas *Attila* and *The Last of the Abencerages*.

It is a matter for congratulation that we have talented composers among the younger generation. Of these are Emerich Elbert, Edmund Fárkas, Julius Mannheimer, and Maurice Varinecz.

A Hungarian pianist of European renown is Count Géza Zichy, who in his fourteenth year lost his right arm from an unlucky gunshot. By

indefatigable diligence he succeeded in training his left hand, so that, not only in Hungary but in the whole cultivated world, he has excited the greatest interest in his execution on the piano. As a composer he has written several songs, and an opera, *Alar*.

For Hungarian songs, ballads, and choruses, we must mention Benjamin Egressy, Ladislav Zimay, Victor Langer, Ernest Lányi, Alexander Erkel, Francis Gaál, and Aloysius Tarnay, Edward Szigligety, Ignác Bognár, Julius Káldy, Julius Erkel, Alexander Nikolits, Mimi de Cau, Michael Füredy, Joseph Tamásy, Madame Hegedüs and Madame Blaha (the "Hungarian Nightingale").

A regular anthology would be required to mention all the compositions that famous foreign composers have written in Hungarian style, and in which they have used Hungarian songs. In the works of Haydn, Beethoven, Schubert, and Weber we find many.

More recently some of our musical composers have gained success in ballet music ; as instances we may cite the names of Charles Szabados, Eugene Stojanovits, Stephen Kerner, Louis Tóth, and Albert Metz.

Many of our musical countrymen have done honour to their country abroad : Joachim, the greatest violinist of modern times, Edward Reményi, Leopold Auer, Edmund Singer, Rafael Josephi, John Richter, Sucher (Berlin), Leidel

(New York) ; and as singers, Mesdames Mainville, Schoedel, Louise Liebhardt, Corneli Hollósy, Rosa Csillag, Ida Benza, etc. As pianists and teachers we must mention Antonio Sipos, John Theindl, and Willy Deutsch.

Recently Julius Káldy, with his works, *Treasures of Old Hungarian Music*, *Hungarian War Songs*, *Recruiting Songs*, *Songs and Marches of the War of Freedom*, has aroused much enthusiasm.

Since the beginning of last century many institutions for the cultivation of music have arisen in Hungary. The first Hungarian Conservatoire was founded in 1819 at Kolozsvár. In 1833 Arad followed the example. A similar institution was founded in Pest ; it was named the Musicians' Society, and this society founded the National Conservatoire. In 1860 Debreczen founded a Conservatoire, an example soon followed by Kassa, Szeged, and Szabadka. In 1860 the National Dramatic School was inaugurated in Budapest. At the same time the Society of Musical Amateurs was founded, and the Musical Academy of Buda. In 1875 the National Hungarian Academy of Music was opened, with Francis Liszt and Francis Erkel at its head. Ultimately the Hungarian School of Music came into existence under the presidency of Julius Káldy, Alexander Nikolits, and Julius Major.

Besides these, Budapest can boast of numerous musical and choral societies, and our capital has as

brilliant a concert season as Vienna or Leipsic. Many famous musical artists from other countries visit Budapest regularly. Lately historical concerts have been started ; and these, in consequence of their scientific character, are usually given in the Academy of Science. We are justly proud that Hungarian music has reached so high a standard in such a comparatively brief period. At the festivities of our National Millennium we could point to world-renowned composers among our own countrymen. Having regard to past development we can look forward with great hope and confidence to the future.

CHAPTER XI

THE POLITICAL POSITION OF CROATIA, SLAVONIA, AND DALMATIA IN THE KINGDOM OF HUNGARY

By MICHAEL GEOSZTANYI.

POLITICALLY the territory of the Hungarian State consists of the following main divisions: Hungary proper, Fiume, Croatia, Slavonia, and Dalmatia.

The object of this chapter is to explain the political position of Croatia, Slavonia, and Dalmatia.

Croatia, Slavonia, and Dalmatia form together, inside the kingdom of Hungary, a political unity enjoying territorial autonomy, and on that account bear the name of "Borderlands" (*partes adnexæ*).

Despite this legal and correct triple designation, Dalmatia, which at the beginning of the twelfth century was united to Hungary by King Kálmán, now belongs only *de jure* to Hungary and the Borderlands, while *de facto* it is united to Austria.

In clause 65 of Act 30 of 1868 the right of Hungary over Dalmatia is plainly set forth. It is there stated that, "in future, Hungary, in virtue of the holy Hungarian Crown, will demand the attachment of Dalmatia and its connection with Croatia."

In spite of official and legal definition, and political position, the territory of the Borderlands at present consists only of Croatia and Slavonia.

Old Croatia, *i. e.* the territory lying between the Kulpa and the Upper Verbász, was united to Hungary under Kings Ladislas and Kálmán, King Kálmán being the first who, in the year 1102, was crowned King of Croatia and Dalmatia. Since that time Croatia figured, until the catastrophe of Mohács, as an incorporated part of Hungary with a definite autonomy, and with a Banus nominated by the king of Hungary at the head of its Government. This autonomy was, however, of much less scope than at present. After the battle of Mohács old Croatia came for the greater part under the dominion of the Turks, and the name of Croatia—since the territory corresponding to it no longer existed—was gradually applied to old Slavonia, while the name Slavonia spread gradually over that original district of Hungary which consisted of the counties of Szerém, Pozsega, and Veröcse.

Under the designation "*Old Slavonia*" we must understand that original Hungarian territory which embraced a portion of modern Croatia and the northern quarter of Bosnia. This district had no special autonomy from the time of the Conquest till the eighteenth century, but formed really a component part of Hungary.

Ladislas II was the first king to give to

Slavonia the title of kingdom. As previously mentioned, after Mohács, the name of Croatia, contrary to the Constitution, gradually spread over this district ; on the other hand, the designation Slavonia spread over the Hungarian counties of Pozsega, Veröcze, and Szerém. Moreover, along with the name the privileges also shifted their ground. This change of name, deficient of all legal justification and diametrically opposed to the Hungarian Constitution, was from opportunist motives fully sanctioned by Act 30 of 1868, cc. 15 and 66. On the basis of this so-called Croatian Compromise that part of the Hungarian dominions was named Croatia-Slavonia, whose boundaries on the north are the counties of Zala, Somogy, Baranza, and Bács-Bodrog ; on the east the county of Torontál ; on the south Servia, Bosnia, and Dalmatia ; on the west, the Adriatic, Fiume, Ukraine, and Styria. This territory of Croatia-Slavonia was divided under the Compromise law into seven counties and eleven boundary districts. This territorial division was finally fixed only after repeated changes ; principally by the autonomous law of Croatia, sanctioned February 5, 1886, it was so modified that at present the territory is divided into eight county municipalities (*zsupanya*), namely, Lika-Krbava, Modrus-Fiume, Lágórále, Varasd, Belovár-Körös, Veröcze, Szerém, Pozsega ; and two town municipalities, namely, Yágórále and Eszék. The county municipalities are divided

into districts (*cotar*) and town communities (*gradske obcine*). The districts are further divided into communities.

The territorial autonomy previously referred to is not a simple municipal autonomy (*vide* Act 30 of 1868). Many paragraphs of this statute name Croatia-Slavonia and Dalmatia "a land," their autonomy a "territorial autonomy," and the totality of those legal rules which govern it the "autonomous constitution" (*vide* particularly c. 2). The essence of this territorial autonomy consists partly in this, that with respect to individual branches of public business, to individual objects of the state's supremacy—apart from the general arrangement of the state—the right of disposition is attached to the special autonomous powers of the Borderlands, always saving and without prejudice to the unity of the state. On the other hand, it also consists in this, that certain privileges and exceptions are secured also in relation to the non-autonomous, *i. e.* the common, business of Croatia, Slavonia, and Dalmatia. Matters of autonomy are, in the terms of Act 30 of 1838, home affairs, religion, public instruction and justice.

It is, however, only the affairs of religion and public instruction which in the fullest sense belong to the province of territorial autonomy. In the province of home affairs, with regard to questions of association, of passports, of police supervision over foreigners, of the rights of citizenship and

naturalisation, the executive only belongs to the autonomy, while legislation on these matters is common. For this reason there is no separate Croatian citizenship.

In the administration of justice the limitation is even greater. Matters of marine, exchange, commerce, and mining legislation are not in the province of this autonomy in the case of the marine, not even the conduct of justice.

Common matters and institutions not belonging to autonomy are, in the terms of the previously cited law, as follows :—

(1) All such state affairs as are common with Austria : viz. foreign affairs, and part of the military and financial affairs, so far as they relate to the foregoing.

(2) Of affairs not common with Austria : the power of the king of Hungary, and as pertaining to the unity and identity of this, the acquirement of royal power, possession of the throne, the coronation, the coronation oath, and the coronation deed, only with the exception that the deed of coronation is also engrossed in the Croatian language ; the royal Hungarian household, the army in its entirety, that is to say also that division of it which is not common with Austria ; finance, the greater part of the business pertaining to the department of the ministries of commerce and agriculture, donation of patents of nobility, of orders and other distinctions, and rewards ; finally,

in the province of home affairs and justice the business excepted from the power of autonomy and already mentioned above.

In respect of common affairs numerous privileges are accorded to Croatia, Slavonia, and Dalmatia. These, as well as the influence constitutionally secured to Croatia, Slavonia, and Dalmatia on common affairs, may be grouped together as follows :—

Concerning the use of the state insignia, it is asserted that the symbol of common affairs of the lands of the Hungarian Crown is the united coat-of-arms of Hungary, Croatia, Slavonia, and Dalmatia ; further, that on the buildings of the united Parliament, when common affairs are under consideration, the Croatian-Slavonian-Dalmatian flag must be hoisted alongside the Hungarian flag ; and, finally, that on the coins the title “ *King of Croatia, Slavonia, and Dalmatia* ” must be added to the royal title.

In the united Hungarian Parliament Croatia-Slavonia is represented by forty members, sent from its own Diet, in the House of Commons, and three members in the House of Magnates. This representation is different from the general representation obtained from the electoral districts. It is also different in that it is a doubly indirect representation. The legal position of the Croatian-Slavonian deputies is such that they can use the Croatian language in the Hungarian Parliament,

where they are members only when subjects of common interest are discussed.

The common laws are sanctioned also in the Croatian language, the original text being afterwards transmitted to the autonomous diet.

In the Delegation appointed for the settlement of the business common to Hungary and Austria, Croatia, Slavonia and Dalmatia are represented by six members, viz. from the House of Magnates, two, and from the House of Commons, four, with the privilege of using the Croatian language.

In the exercise of the common executive powers the privileged political position of Croatia-Slavonia is seen in the appointment of the Croatian minister without portfolio, in the establishment of special Croatian sections in the common ministries, on the express condition that in the territory of Croatia-Slavonia-Dalmatia the official language of the common administration is the Croatian, and that the common ministries must accept written memorials also in the Croatian language, and reply to them in the same tongue.

Very important privileges are secured to Croatia-Slavonia also in matters of finance. The financial relations between Hungary and the Borderlands rest chiefly on two leading principles, which are expressed in the Compromise and which since have been constantly confirmed :—

(a) A leading principle is the acknowledgment of the fact that Croatia, Slavonia, and

Dalmatia are obliged to contribute to the cost of common affairs in proportion to their liability to taxes.

(*b*) Another leading principle is the declaration that Hungary is willing that, out of the revenues of these lands, a certain sum, settled from time to time by treaty, should be set aside for autonomous demands, and only afterwards should the remaining sum be applied to common demands. On the ground of these principles the financial agreement which is at present valid (contained in Act 40 of 1889) has been brought to pass ; it consists actually in this, that 44% of the direct and indirect taxes and other public revenues of Croatia-Slavonia be applied to autonomous purposes, and 56% to common expenses.

How essential is the privilege thus secured to Croatia, Slavonia, and Dalmatia is evident from the minutes of the last financial transactions, according to which the sum the Borderlands contribute to common expenses is less by nearly 4,000,000 florins than they would have contributed in the proportion of their liability to taxation ; while Hungary proper, in order to meet the demands of her interior administration, in the departments of Culture and Education, and in the payment of the magistracy, can only devote 19% of her public revenues, the Borderlands can assign for the same purpose 44% !

As already seen, Croatia, Slavonia, and Dalmatia



Photo

Divaldi

AN ANCIENT STREET IN FIUME.

[To face p. 398.

possess the rights of legislation in all business pertaining to their autonomy, with the exception of internal administration and the conduct of justice. One factor of the legislature which extends to autonomous matters is the question of the king of Hungary; another, that of the autonomous National Assembly. The unity of the State is accordingly not weakened by the autonomous legislative power (one of its factors being the king of Hungary). The individual rights contained in the legislative administration are divided between these two factors as in the legislative administration of the Hungarian State: that is to say, the king of Hungary possesses the royal rights of convoking, opening, postponing and closing Parliament, besides possessing the legislative right of the sanction and the promulgation of the laws. The guidance of the legislation thus rests with the king of Hungary. On the other hand, members of the Croatian, Slavonian, and Dalmatian Diet are participators in legislation to the degree required by the constitutional system. Yet, so far as its sphere is concerned, a great difference exists, for the authority of this Diet extends over a smaller portion of public business.

The organisation of the Croatian-Slavonian-Dalmatian National Assembly is on the basis of the one-chamber system, and for the most part the principle of indirect voting obtains:—

The National Assembly consists (*a*) of ninety

elected deputies ; (*b*) of personal voters, whose number cannot exceed half that of the elected deputies. The personal-voting privilege is possessed (that is to say, the magnate element is represented) by—

(*a*) The archbishop of Záhgráb, the metropolitan of Karlócza, and the Servian patriarch, the diocesan bishops, and the prior of Aurania ; (*b*) the prefects at the head of the counties, and the count of Túropolje ; (*c*) princes, counts and barons, if they have completed their twenty-fourth year, are acquainted with the Croatian language, and possess in the territory of Croatia-Slavonia-Dalmatia such landed property as is assessed at one thousand florins land-tax, in which is reckoned the house-tax on buildings erected on the property.

Deputies are chosen according to districts ; every district has a deputy. The conditions of voting are of two kinds—immediate and mediate. The general conditions for the possession of a vote are (*a*) Hungarian citizenship ; (*b*) the fact of belonging to a Croatian-Slavonian community ; (*c*) male sex ; (*d*) the fact of having attained the age of twenty-four years. In the twenty-one largest towns there is only an immediate suffrage to members of the liberal professions, also to those who pay fifteen florins direct taxes. In all the other communities there is mediate and immediate suffrage. Besides the foregoing conditions, the immediate suffrage belongs to members of the liberal professions and to those who pay thirty florins direct taxes.

The mediate suffrage belongs to those who pay at least five florins direct taxes. Every fifty mediate voters choose an immediate voter who participates in the election of the deputy.

Members of the National Assembly possess the right of initiating legislation, the privilege of immunity, and the right of interpellation. They are not amenable to instructions.

Besides autonomous legislation, the National Assembly undertakes the settling of the autonomous budget, the auditing of accounts, the right of calling to account the autonomous Government, and of electing from their midst forty deputies for the House of Commons, and three deputies for the House of Magnates, for the Hungarian Parliament.

As regards the constitutional position of the Croatian Diet, the important condition obtains that the contact of the Diet with the king is not an immediate one, but mediated by the functionaries of the common and autonomous executive administration through the Hungarian Ministry and the Banus. The laws made in common by the Diet and the king of Hungary are real laws stamped with the royal approval. These autonomous laws are written in the Croatian language, and sanctioned by the king of Hungary on the counter-signature of the Croatian Minister and the Banus. With regard to their difference from the Hungarian laws, since

1873 these are not cited by any number but merely by the date of sanction.

That the autonomous executive extends to more business and has therefore a larger scope than the autonomous legislature, has already been mentioned. A principle of this part of the Constitution is, that the Croatian-Slavonian-Dalmatian executive administration belongs generally, like the executive power, to the king of Hungary throughout the extent of the Hungarian state, and that only the exercise thereof is assigned to autonomous officers. This is plain from the Croatian Act 2 of 1869 (art. 3), and from the Hungarian C. A. 30 of 1868 (art. 51). The proper functionaries of this autonomous executive belonging to the king are of two kinds, central and provincial.

The central, *i. e.* the real *governmental* functionary, is the Croatian-Slavonian-Dalmatian Government with the Banus at its head, the other central authorities, which include the central treasury, the accounts office, the archives, board of works, and committee for the redemption of land burdens, being subordinate.

The provincial, *i. e.* the real *administrative*, functionaries are : the county and town municipalities, county prefects, the districts, the town and village communities, the municipal, district, and parish officers.

The Croatian-Slavonian-Dalmatian Government

has three Departments : one for the interior and finance, another for culture and education, and the third for justice. To the first belong those affairs which do not expressly belong to the other two divisions, particularly the budget, auditing of accounts, and generally financial affairs connected with the sums contributed to the Borderlands in proportion to the quota.

At the head of each of these three divisions stands a chief ; at the head of all, the Banus.

The legal position of the Banus is as follows :—

The king of Hungary nominates him on the proposal and with the counter-signature of the Royal Hungarian Minister-President. The Banus can have no military power. In virtue of his office he is a member of the Hungarian House of Magnates, yet for the same reason he is not a member of the Croatian Diet. Among the Hungarian bannerets he takes third place. He is legally and politically responsible to the National Assembly. He has the right and duty to appear in the autonomous National Assembly. There he can speak when he likes, and he must answer interpellations. He has the right of voting only when he is a member of the National Assembly under some other title. Finally, to him belongs the right of counter-signature, inasmuch as every royal resolution in the province of the autonomy, every order and appointment, are valid only when

the Banus and a member of the Hungarian Government and the Croatian Minister have signed it together. If one of these counter-signatures be missing the order is invalid.

He possesses an extensive right of nomination in the administration, and it is specially characteristic that the Banus can make his application to the king only mediately, through the Croatian Minister, who is responsible to the Hungarian Parliament.

This essential condition of the constitution upholds the unity of the State, and brings the autonomy into harmony with that condition of art. 3 of 1848, whereby the counter-signature of a Hungarian Minister is necessary to the validity of every royal order. On the other hand, it establishes the principle that the autonomous executive power must be exercised by the king of Hungary by means of the autonomous local government. This is a particularly convincing proof that Hungary proper forms, with the Borderlands, the indivisible Hungarian state.

From the same point of view the legal relation of the Croatian-Slavonian-Dalmatian Government to the common Hungarian Government has great significance. The essence of this legal relation lies in the fact that the Croatian-Slavonian-Dalmatian Government is obliged, not only to support the Hungarian Ministry in its actions, but also to execute its orders. Accordingly the

autonomous functionaries are factors in the Hungarian Ministry.

By this definition of the power of the Banus, we have also indicated the legal position of the Croatian Minister, viz. that he is a member of the Hungarian Ministry without portfolio, a member of the Ministerial Council, not responsible to the autonomous Diet, but to the Hungarian Parliament. His task is to represent the interests of Croatia, Slavonia, and Dalmatia, to uphold the union between the king and the autonomous Diet and Government. This functionary serves at the same time for the maintenance of the unity of the State, since without his counter-signature no royal order can be valid in the autonomy.

The administration is under the guidance and supervision of the Banus, and of the Government by means of the municipalities, under which are the officials of districts and communities. As previously mentioned, there are eight county and two town municipalities—ten in all. The organisation of these is in many respects similar to that in Hungary proper, but exhibits the essential difference that the autonomous rights in the Borderlands are confined within much narrower bounds than in the mother country, owing to the principle that the engagement of officials does not depend on votes but on nomination ; that the affairs concerning orphans are not conducted by the municipalities but by the courts of justice ; and that the supreme

supervision of the business of the community belongs, in Hungary, to the county councils, and in Croatia-Slavonia-Dalmatia to boards of administration.

The functionaries of the administration are the Council, the Board of Administration, and the individual officials. Half the council consists of those who pay the highest taxes, and the other half of elected members. Appeal may be made from their resolutions to the Government. The Board of Administration consists of fourteen members, the prefect, six nominated officials, six members chosen by the council, and, in matters of taxation, of the director of finances also. The Board shares matters of administration with the council, as officials of discipline, appeal, and supervision. Appeal from its decisions may be made to the Government.

The individual officers are the vice-prefect, the secretary, the editors, chief forester, chief engineer, inspector of schools, chief doctor, and veterinary surgeon, at the centre; the chiefs, assistants and clerks, in the districts. The vice-prefect and the secretary are nominated by the king, the rest of the *personnel* by the Banus, the assistants and attendants by the prefect.

In the municipalities the prefect is the representative of the executive power, and the right-hand man of the Government. He is nominated



BUCCARI BAY, NEAR FIUME.

[To face p. 406.]

by the king on the proposal of the Banus. By virtue of his office he is member of the autonomous National Assembly and president of the Council and of the Board of Administration.

The organisation of both civic municipalities differs from that of the counties in that, in the latter, officials are nominated by vote ; that all the members of the town representation are voted for ; that at Zágráb there is not a prefect, but a chief burgomaster ; and that the administrative board of the towns consist of nine members only.

With regard to the organisation of communities, there are four kinds ; namely, municipal, town, individual, and district communities. To the communities belong the maintenance of autonomy and the mediation of the public administration.

The organisation of town communities is very peculiar. They form to some extent a transition from town municipalities to communities, and are placed on a level with the parishes. There are nineteen such town communities, whose position is as follows :—They have no particular board of administration but are subject to the county board, and represented in the county council. At their head are town prefects, without salary and not members of the National Assembly. Their functionaries are the town council, the board of aldermen, and the burgomaster.

The others are either individual or district communities, according as they are formed of several places and villages, or form independently one united administration.

The officials of the community are the representatives—twelve to twenty-four elected members—the judge or mayor, with his notary and assistants. The notary is elected for life and the other officials for three years.

The judicature is generally concerned with autonomous affairs. An exception is the judicature of marine, which falls within the scope of the common tribunals: *i.e.* firstly, the Court of Fiume; secondly, the Royal Court of Appeal at Budapest; and thirdly, the Royal Hungarian Supreme Court. The autonomous judicial power also belongs to the king of Hungary, with the sole difference that the king exercises this judicial power through such judges as are nominated with the counter-signatures of the Banus and the Croatian Minister. In Croatia, Slavonia, and Dalmatia there are also three courts. Courts of First Instance, which are the royal tribunals; the royal district courts, of which six are competent in matters of commerce and exchange; and the courts of the community.

The Court of Second Instance is the Ban's court in Záhgráb. The Court of Third Instance is the Septemviral Court in Záhgráb. In Croatia, Slavonia, and Dalmatia the law guarantees that the judges

shall be independent, permanent, and not superannuated against their will. The organisation of the courts, their circuits, their competence, and the fixing of the appointments of their members, belong to the sphere of autonomous legislation.

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